

SHB 3103 - S COMM AMD
By Committee on Higher Education

ADOPTED AS AMENDED 03/03/04

1 Strike everything after the enacting clause and insert the
2 following:

3 "PART I
4 GENERAL PROVISIONS

5 NEW SECTION. **Sec. 1.** The purpose of the board is to:

6 (1) Develop a statewide strategic master plan for higher education
7 and continually monitor state and institution progress in meeting the
8 vision, goals, priorities, and strategies articulated in the plan;

9 (2) Based on objective data analysis, develop and recommend
10 statewide policies to enhance the availability, quality, efficiency,
11 and accountability of public higher education in Washington state;

12 (3) Administer state and federal financial aid and other education
13 services programs in a cost-effective manner;

14 (4) Serve as an advocate on behalf of students and the overall
15 system of higher education to the governor, the legislature, and the
16 public;

17 (5) Represent the broad public interest above the interests of the
18 individual colleges and universities; and

19 (6) Coordinate with the governing boards of the two and four-year
20 institutions of higher education, the state board for community and
21 technical colleges, the work force training and education coordinating
22 board, and the superintendent of public instruction to create a
23 seamless system of public education for the citizens of Washington
24 state geared toward student success.

25 **Sec. 2.** RCW 28B.80.380 and 1985 c 370 s 9 are each amended to read
26 as follows:

27 (~~The board shall establish advisory committees composed of members~~
28 ~~representing faculty, administrators, students, regents and trustees,~~
29 ~~and staff of the public institutions, the superintendent of public~~

1 ~~instruction, and the independent institutions.))~~ (1) The board shall
2 establish an advisory council consisting of: The superintendent of
3 public instruction; a representative of the state board of education
4 appointed by the state board of education; a representative of the two-
5 year system of the state board for community and technical colleges
6 appointed by the state board for community and technical colleges; a
7 representative of the work force training and education coordinating
8 board appointed by the work force training and education coordinating
9 board; one representative of the research universities appointed by the
10 president of the University of Washington and the president of
11 Washington State University; a representative of the regional
12 universities and The Evergreen State College appointed through a
13 process developed by the council of presidents; a representative of the
14 faculty for the four-year institutions appointed by the council of
15 faculty representatives; a representative of the proprietary schools
16 appointed by the federation of private career schools and colleges; a
17 representative of the independent colleges appointed by the independent
18 colleges of Washington; and a faculty member in the community and
19 technical college system appointed by the state board for community and
20 technical colleges in consultation with the faculty unions.

21 (2) The members of the advisory council shall each serve a two-
22 year term except for the superintendent of public instruction, whose
23 term is concurrent with his or her term of office.

24 (3) The board shall meet with the advisory council at least
25 quarterly and shall seek advice from the council regarding the board's
26 discharge of its statutory responsibilities.

27 **Sec. 3.** RCW 28B.80.400 and 2002 c 129 s 2 are each amended to read
28 as follows:

29 The members of the board, except the chair serving on June 13,
30 2002, and the student member, shall serve for terms of four years, the
31 terms expiring on June 30th of the fourth year of the term except that
32 in the case of initial members, two shall be appointed to two-year
33 terms, three shall be appointed to three-year terms, and three shall be
34 appointed to four-year terms. The student member shall hold his or her
35 office for a term of one year from the first day of July. The chair
36 serving on June 13, 2002, shall serve at the pleasure of the governor.

1 **Sec. 6.** RCW 28B.80.345 and 2003 c 130 s 2 are each amended to read
2 as follows:

3 (1) The board shall develop a statewide strategic master plan for
4 higher education that proposes a vision and identifies goals and
5 priorities for the system of higher education in Washington state. The
6 plan shall encompass all sectors of higher education, including the
7 two-year system, work force training, the four-year institutions, and
8 financial aid. The board shall also specify strategies for maintaining
9 and expanding access, affordability, quality, efficiency, and
10 accountability among the various institutions of higher education.

11 (2) In developing the statewide strategic master plan for higher
12 education, the board shall collaborate with the four-year institutions
13 of higher education including the council of presidents, the community
14 and technical college system, and, when appropriate, the work force
15 training and education coordinating board, the superintendent of public
16 instruction, and the independent higher education institutions. The
17 board shall identify and utilize models of regional planning and
18 decision making before initiating a statewide planning process. The
19 board shall also seek input from students, faculty organizations,
20 community and business leaders in the state, members of the
21 legislature, and the governor.

22 (3) As a foundation for the statewide strategic master plan for
23 higher education, the board shall (~~develop and establish~~) review role
24 and mission statements for each of the four-year institutions of higher
25 education and the community and technical college system. (~~The board~~
26 ~~shall determine whether certain major lines of study or types of~~
27 ~~degrees, including applied degrees or research-oriented degrees, shall~~
28 ~~be assigned uniquely to some institutions or institutional sectors in~~
29 ~~order to create centers of excellence that focus resources and~~
30 ~~expertise~~) The purpose of the review is to ensure institutional roles
31 and missions are aligned with the overall state vision and priorities
32 for higher education.

33 (4) In assessing needs of the state's higher education system, the
34 board may consider and analyze the following information:

35 (a) Demographic, social, economic, and technological trends and
36 their impact on service delivery;

37 (b) The changing ethnic composition of the population and the
38 special needs arising from those trends;

39 (c) Business and industrial needs for a skilled work force;

1 (d) College attendance, retention, transfer, and dropout rates;

2 (e) Needs and demands for basic and continuing education and
3 opportunities for lifelong learning by individuals of all age groups;
4 and

5 (f) Needs and demands for access to higher education by placebound
6 students and individuals in heavily populated areas underserved by
7 public institutions.

8 (5) The statewide strategic master plan for higher education shall
9 include, but not be limited to, the following:

10 (a) Recommendations based on enrollment forecasts and analysis of
11 data about demand for higher education, and policies and actions to
12 meet those needs;

13 (b) State or regional priorities for new or expanded degree
14 programs or off-campus programs, including what models of service
15 delivery may be most cost-effective;

16 (c) Recommended policies or actions to improve the efficiency of
17 student transfer and graduation or completion;

18 (d) State or regional priorities for addressing needs in high-
19 demand fields where enrollment access is limited and employers are
20 experiencing difficulty finding enough qualified graduates to fill job
21 openings;

22 (e) Recommended tuition and fees policies and levels; and

23 (f) Priorities and recommendations on financial aid.

24 (6) The board shall present the vision, goals, priorities, and
25 strategies in the statewide strategic master plan for higher education
26 in a way that provides guidance for institutions, the governor, and the
27 legislature to make further decisions regarding institution-level
28 plans, policies, legislation, and operating and capital funding for
29 higher education. In the statewide strategic master plan for higher
30 education, the board shall recommend specific actions to be taken and
31 identify measurable performance indicators and benchmarks for gauging
32 progress toward achieving the goals and priorities.

33 (7) Every four years by December 15th, beginning December 15, 2003,
34 the board shall submit an interim statewide strategic master plan for
35 higher education to the governor and the legislature. The interim plan
36 shall reflect the expectations and policy directions of the legislative
37 higher education and fiscal committees, and shall provide a timely and
38 relevant framework for the development of future budgets and policy
39 proposals. The legislature shall, by concurrent resolution, approve or

1 recommend changes to the interim plan, following public hearings. The
2 board shall submit the final plan, incorporating legislative changes,
3 to the governor and the legislature by June of the year in which the
4 legislature approves the concurrent resolution. The plan shall then
5 become state higher education policy unless legislation is enacted to
6 alter the policies set forth in the plan. The board shall report
7 annually to the governor and the legislature on the progress being made
8 by the institutions of higher education and the state to implement the
9 strategic master plan.

10 (8) Each four-year institution shall develop an institution-level
11 strategic plan that implements the vision, goals, priorities, and
12 strategies within the statewide strategic master plan for higher
13 education based on the institution's role and mission. Institutional
14 strategic plans shall also contain measurable performance indicators
15 and benchmarks for gauging progress toward achieving the goals and
16 priorities. The board shall review the institution-level plans to
17 ensure the plans are aligned with and implement the statewide strategic
18 master plan for higher education and shall periodically monitor
19 institutions' progress toward achieving the goals and priorities within
20 their plans.

21 (9) The board shall also review the comprehensive master plan
22 prepared by the state board for community and technical colleges for
23 the community and technical college system under RCW 28B.50.090 to
24 ensure the plan is aligned with and implements the statewide strategic
25 master plan for higher education.

26 **Sec. 7.** RCW 28B.80.330 and 2003 c 130 s 3 are each amended to read
27 as follows:

28 (1) The board shall ((perform the following planning duties in
29 consultation)) collaborate with the four-year institutions including
30 the council of presidents, the community and technical college system,
31 and when appropriate the work force training and education coordinating
32 board, the superintendent of public instruction, and the independent
33 higher educational institutions((÷

34 (1) Review, evaluate, and make recommendations on operating and
35 capital budget requests from four year institutions and the community
36 and technical college system, based on how the budget requests align
37 with and implement the statewide strategic master plan for higher
38 education under RCW 28B.80.345;

1 ~~(a))~~ to identify budget priorities and levels of funding for
2 higher education, including the two and four-year institutions of
3 higher education and state financial aid programs. It is the intent of
4 the legislature that recommendations from the board reflect not merely
5 the sum of budget requests from multiple institutions, but prioritized
6 funding needs for the overall system of higher education.

7 (2) By December of each odd-numbered year, the board shall
8 distribute guidelines which outline the board's fiscal priorities to
9 the institutions and the state board for community and technical
10 colleges. The institutions and the state board for community and
11 technical colleges shall submit an outline of their proposed budgets,
12 identifying major components, to the board no later than August 1st of
13 each even-numbered year.

14 (3) The board shall review and evaluate the operating and capital
15 budget requests from four-year institutions and the community and
16 technical college system based on how the requests align with the
17 board's budget priorities, the missions of the institutions, and the
18 statewide strategic master plan for higher education under RCW
19 28B.80.345 (as recodified by this act).

20 (4) The board shall submit recommendations on the proposed budgets
21 and on the board's budget priorities to the office of financial
22 management before November 1st of each even-numbered year, and to the
23 legislature by January 1st of each odd-numbered year(~~(+~~

24 ~~(b))~~).

25 (5) Institutions and the state board for community and technical
26 colleges shall submit any supplemental budget requests and revisions to
27 the board at the same time they are submitted to the office of
28 financial management. The board shall submit recommendations on the
29 proposed supplemental budget requests to the office of financial
30 management by November 1st and to the legislature by January 1st(~~(+~~

31 ~~(2) Recommend legislation affecting higher education;~~

32 ~~(3) Prepare recommendations on merging or closing institutions; and~~

33 ~~(4) Develop criteria for identifying the need for new baccalaureate~~
34 ~~institutions)).~~

35 **Sec. 8.** RCW 28B.80.335 and 2003 1st sp.s. c 8 s 2 are each amended
36 to read as follows:

37 (1) Beginning with the 2005-2007 biennial capital budget submittal,
38 the public four-year institutions, in consultation with the council of

1 presidents and the higher education coordinating board, shall prepare
2 a single prioritized individual ranking of the individual projects
3 proposed by the four-year institutions as provided in subsection (2) of
4 this section. The public four-year institutions may aggregate minor
5 works project requests into priority categories without separately
6 ranking each minor project, provided that these aggregated minor works
7 requests are ranked within the overall list. For repairs and
8 improvements to existing facilities and systems, the rating and ranking
9 of individual projects must be based on criteria or factors that
10 include, but are not limited to, the age and condition of buildings or
11 systems, the programmatic suitability of the building or system, and
12 the activity/occupancy level supported by the building or system. For
13 projects creating new space or capacity, the ratings and rankings of
14 projects must be based upon criteria or factors that include, but are
15 not limited to, measuring existing capacity and progress toward meeting
16 increased space utilization levels as determined by the higher
17 education coordinating board.

18 (2) The single prioritized four-year project list shall be approved
19 by the governing boards of each public four-year institution and shall
20 be submitted to the office of financial management and the higher
21 education coordinating board concurrent with the institution's
22 submittal of their biennial capital budget requests.

23 (3)(a) The higher education coordinating board, in consultation
24 with the office of financial management and the joint legislative audit
25 and review committee, shall develop common definitions that public
26 four-year institutions and the state board for community and technical
27 colleges shall use in developing their project lists under this
28 section.

29 (b) As part of its duties under RCW 28B.80.330(~~(+4)~~) (as
30 recodified by this act), the higher education coordinating board shall,
31 as part of its biennial budget guidelines, disseminate, by December 1st
32 of each odd-numbered year, the criteria framework, including general
33 definitions, categories, and rating system, to be used by the public
34 four-year institutions in the development of the prioritized four-year
35 project list. The criteria framework shall specify the general
36 priority order of project types based on criteria determined by the
37 board, in consultation with the public four-year institutions.

38 (c) Under RCW 28B.80.330(~~(+4)~~) (as recodified by this act), the

1 public four-year institutions shall submit a preliminary prioritized
2 four-year project list to the higher education coordinating board by
3 August 1st of each even-numbered year.

4 (d) The state board for community and technical colleges shall, as
5 part of its biennial capital budget request, submit a single
6 prioritized ranking of the individual projects proposed for the
7 community and technical colleges. The state board for community and
8 technical colleges shall submit an outline of the prioritized community
9 and technical college project list to the higher education coordinating
10 board under RCW 28B.80.330(~~(+4)~~) (as recodified by this act) by August
11 1st of each even-numbered year.

12 (4) The higher education coordinating board, in consultation with
13 the public four-year institutions, shall resolve any disputes or
14 disagreements arising among the four-year institutions concerning the
15 ranking of particular projects. Further, should one or more governing
16 boards of the public four-year institutions fail to approve the
17 prioritized four-year project list as required in this section, or
18 should a prioritized project list not be submitted by the public four-
19 year institutions concurrent with the submittal of their respective
20 biennial capital budget requests as provided in subsection (2) of this
21 section, the higher education coordinating board shall prepare the
22 prioritized four-year institution project list itself.

23 (5) In developing any rating and ranking of capital projects
24 proposed by the two-year and four-year public universities and
25 colleges, the board:

26 (a) Shall be provided with available information by the public two-
27 year and four-year institutions as deemed necessary by the board;

28 (b) May utilize independent services to verify, sample, or evaluate
29 information provided to the board by the two-year and four-year
30 institutions; and

31 (c) Shall have full access to all data maintained by the office of
32 financial management and the joint legislative audit and review
33 committee concerning the condition of higher education facilities.

34 (6) Beginning with the 2005-2007 biennial capital budget submittal,
35 the higher education coordinating board shall, in consultation with the
36 state board for community and technical colleges and four-year colleges
37 and universities, submit its capital budget recommendations and the
38 separate two-year and four-year prioritized project lists.

1 NEW SECTION. **Sec. 9.** (1) The board shall develop a comprehensive
2 and ongoing assessment process to analyze the need for additional
3 degrees and programs, additional off-campus centers and locations for
4 degree programs, and consolidation or elimination of programs by the
5 four-year institutions.

6 (2) As part of the needs assessment process, the board shall
7 examine:

8 (a) Projections of student, employer, and community demand for
9 education and degrees, including liberal arts degrees, on a regional
10 and statewide basis;

11 (b) Current and projected degree programs and enrollment at public
12 and private institutions of higher education, by location and mode of
13 service delivery; and

14 (c) Data from the work force training and education coordinating
15 board and the state board for community and technical colleges on the
16 supply and demand for work force education and certificates and
17 associate degrees.

18 (3) Every two years the board shall produce, jointly with the state
19 board for community and technical colleges and the work force training
20 and education coordinating board, an assessment of the number and type
21 of higher education and training credentials required to match employer
22 demand for a skilled and educated work force. The assessment shall
23 include the number of forecasted net job openings at each level of
24 higher education and training and the number of credentials needed to
25 match the forecast of net job openings.

26 (4) The board shall determine whether certain major lines of study
27 or types of degrees, including applied degrees or research-oriented
28 degrees, shall be assigned uniquely to some institutions or
29 institutional sectors in order to create centers of excellence that
30 focus resources and expertise.

31 (5) The following activities are subject to approval by the board:

32 (a) New degree programs by a four-year institution;

33 (b) Creation of any off-campus program by a four-year institution;

34 (c) Purchase or lease of major off-campus facilities by a four-year
35 institution or a community or technical college;

36 (d) Creation of higher education centers and consortia; and

37 (e) New degree programs and creation of off-campus programs by an
38 independent college or university in collaboration with a community or
39 technical college.

1 (6) Institutions seeking board approval under this section must
2 demonstrate that the proposal is justified by the needs assessment
3 developed under this section. Institutions must also demonstrate how
4 the proposals align with or implement the statewide strategic master
5 plan for higher education under RCW 28B.80.345 (as recodified by this
6 act).

7 (7) The board shall develop clear guidelines and objective
8 decision-making criteria regarding approval of proposals under this
9 section, which must include review and consultation with the
10 institution and other interested agencies and individuals.

11 (8) The board shall periodically recommend consolidation or
12 elimination of programs at the four-year institutions, based on the
13 needs assessment analysis.

14 **Sec. 10.** RCW 28B.80.280 and 1998 c 245 s 23 are each amended to
15 read as follows:

16 The board shall(~~(, in cooperation with the state institutions of~~
17 ~~higher education and the state board for community and technical~~
18 ~~colleges, establish and maintain a statewide transfer of credit policy~~
19 ~~and agreement. The policy and agreement shall, where feasible, include~~
20 ~~course and program descriptions consistent with statewide~~
21 ~~interinstitutional guidelines)) adopt statewide transfer and
22 articulation policies that ensure efficient transfer of credits and
23 courses across public two and four-year institutions of higher
24 education. The intent of the policies is to create a statewide system
25 of articulation and alignment between two and four-year institutions.
26 Policies may address but are not limited to creation of a statewide
27 system of course equivalency, creation of transfer associate degrees,
28 statewide articulation agreements, applicability of technical courses
29 toward baccalaureate degrees, and other issues. The institutions of
30 higher education and the state board for community and technical
31 colleges shall cooperate with the board in developing the statewide
32 policies and shall provide support and staff resources as necessary to
33 assist in ((developing and)) maintaining ((this policy and agreement.
34 ~~The statewide transfer of credit policy and agreement shall be~~
35 ~~effective beginning with the 1985-86 academic year)) the policies. The
36 board shall submit a progress report to the higher education committees
37 of the senate and house of representatives by December 1, 2006, by~~~~

1 which time the legislature expects measurable improvement in alignment
2 and transfer efficiency.

3 NEW SECTION. **Sec. 11.** (1) The board shall establish an
4 accountability monitoring and reporting system as part of a continuing
5 effort to make meaningful and substantial progress towards the
6 achievement of long-term performance goals in higher education.

7 (2) Based on guidelines prepared by the board, each four-year
8 institution and the state board for community and technical colleges
9 shall submit a biennial plan to achieve measurable and specific
10 improvements each academic year on statewide and institution-specific
11 performance measures. Plans shall be submitted to the board along with
12 the biennial budget requests from the institutions and the state board
13 for community and technical colleges. Performance measures established
14 for the community and technical colleges shall reflect the role and
15 mission of the colleges.

16 (3) The board shall approve biennial performance targets for each
17 four-year institution and for the community and technical college
18 system and shall review actual achievements annually. The state board
19 for community and technical colleges shall set biennial performance
20 targets for each college or district, where appropriate.

21 (4) The board shall submit a report on progress towards the
22 statewide goals, with recommendations for the ensuing biennium, to the
23 fiscal and higher education committees of the legislature along with
24 the board's biennial budget recommendations.

25 (5) The board, in collaboration with the four-year institutions and
26 the state board for community and technical colleges, shall
27 periodically review and update the accountability monitoring and
28 reporting system.

29 (6) The board shall develop measurable indicators and benchmarks
30 for its own performance regarding cost, quantity, quality, and
31 timeliness and including the performance of committees and advisory
32 groups convened under this chapter to accomplish such tasks as
33 improving transfer and articulation, improving articulation with the K-
34 12 education system, measuring educational costs, or developing data
35 protocols. The board shall submit its accountability plan to the
36 legislature concurrently with the biennial report on institution
37 progress.

1 NEW SECTION. **Sec. 12.** (1) In consultation with the institutions
2 of higher education and state education agencies, the board shall
3 identify the data needed to carry out its responsibilities for policy
4 analysis, accountability, program improvements, and public information.
5 The primary goals of the board's data collection and research are to
6 describe how students and other beneficiaries of higher education are
7 being served; to support higher education accountability; and to assist
8 state policymakers and institutions in making policy decisions.

9 (2) The board shall convene a research advisory group and shall
10 collaborate with the group to identify the most cost-effective manner
11 for the board to collect data or access existing data. The board shall
12 work with the advisory group to develop research priorities, policies,
13 and common definitions to maximize the reliability and consistency of
14 data across institutions. The advisory group shall include
15 representatives of public and independent higher education institutions
16 and other state agencies, including the state board for community and
17 technical colleges, the office of the superintendent of public
18 instruction, the office of financial management, the employment
19 security department, the work force training and education coordinating
20 board, and other agencies as appropriate.

21 (3) Specific protocols shall be developed by the board and the
22 advisory group to protect the privacy of individual student records
23 while ensuring the availability of student data for legitimate research
24 purposes.

25 **Sec. 13.** RCW 28B.80.350 and 1993 c 77 s 2 are each amended to read
26 as follows:

27 The board shall ~~((coordinate educational activities among all
28 segments of higher education taking into account the educational
29 programs, facilities, and other resources of both public and
30 independent two and four year colleges and universities. The four year
31 institutions and the state board for community and technical colleges
32 shall coordinate information and activities with the board. The board
33 shall))~~ have the following additional policy responsibilities:

34 (1) ~~((Promote interinstitutional cooperation))~~ Perform periodic
35 analyses of tuition, financial aid, faculty compensation, institution
36 funding levels, enrollment, and other policy issues and provide reports
37 to the governor and the legislature;

1 (2) Establish minimum admission standards for four-year
2 institutions, including a requirement that coursework in American sign
3 language or an American Indian language shall satisfy any requirement
4 for instruction in a language other than English that the board or the
5 institutions may establish as a general undergraduate admissions
6 requirement;

7 ~~(3) ((Establish transfer policies;~~
8 ~~(4))~~) Adopt rules implementing statutory residency requirements;
9 ~~((5) Develop and administer reciprocity agreements with bordering~~
10 ~~states and the province of British Columbia;~~

11 ~~(6) Review and recommend compensation practices and levels for~~
12 ~~administrative employees, exempt under chapter 28B.16 RCW, and faculty~~
13 ~~using comparative data from peer institutions;~~

14 ~~(7) Monitor higher education activities for compliance with all~~
15 ~~relevant state policies for higher education;~~

16 ~~(8) Arbitrate disputes between and among four-year institutions or~~
17 ~~between and among four-year institutions and community colleges at the~~
18 ~~request of one or more of the institutions involved, or at the request~~
19 ~~of the governor, or from a resolution adopted by the legislature. The~~
20 ~~decision of the board shall be binding on the participants in the~~
21 ~~dispute;~~

22 ~~(9) Establish and implement a state system for collecting,~~
23 ~~analyzing, and distributing information;~~

24 ~~(10) Recommend to the governor and the legislature ways to remove~~
25 ~~any economic incentives to use off-campus program funds for on-campus~~
26 ~~activities; and~~

27 ~~(11))~~ (4) Make recommendations to increase minority participation,
28 and monitor and report on the progress of minority participation in
29 higher education;

30 (5) In cooperation with the institutions of higher education,
31 highlight and promote innovative programs to improve the quality of
32 instruction, promote local and regional economic development, and
33 enhance efficiency in higher education;

34 (6) Manage competitive processes for awarding high demand
35 enrollments authorized by the legislature. Public baccalaureate
36 institutions and private independent institutions are eligible to apply
37 for funding and may submit proposals; and

38 (7) Recommend legislation affecting higher education.

1 **Sec. 14.** RCW 28B.10.044 and 1997 c 48 s 1 are each amended to read
2 as follows:

3 (1) The (~~higher education coordinating~~) board shall annually
4 develop information on the approximate amount of state support that
5 students receive. For students at state-supported colleges and
6 universities, the information shall include the approximate level of
7 support received by students in each tuition category. That
8 information may include consideration of the following: Expenditures
9 included in the educational cost formula, revenue forgiven from waived
10 tuition and fees, state-funded financial aid awarded to students at
11 public institutions, and all or a portion of appropriated amounts not
12 reflected in the educational cost formula for institutional programs
13 and services that may affect or enhance the educational experience of
14 students at a particular institution. For students attending a private
15 college, university, or proprietary school, the information shall
16 include the amount of state-funded financial aid awarded to students
17 attending the institution.

18 (2) Beginning July 30, 1993, the board shall annually provide
19 information appropriate to each institution's student body to each
20 state-supported four-year institution of higher education and to the
21 state board for community and technical colleges for distribution to
22 community colleges and technical colleges.

23 (3) Beginning July 30, 1993, the board shall annually provide
24 information on the level of financial aid received by students at that
25 institution to each private university, college, or proprietary school,
26 that enrolls students receiving state-funded financial aid.

27 (4) Beginning with the 1997 fall academic term, each institution of
28 higher education described in subsection (2) or (3) of this section
29 shall provide to students at the institution information on the
30 approximate amount that the state is contributing to the support of
31 their education. Information provided to students at each state-
32 supported college and university shall include the approximate amount
33 of state support received by students in each tuition category at that
34 institution. The amount of state support shall be based on the
35 information provided by the (~~higher education coordinating~~) board
36 under subsections (1) through (3) of this section. The information
37 shall be provided to students at the beginning of each academic term
38 through one or more of the following: Registration materials, class

1 schedules, tuition and fee billing packets, student newspapers, or via
2 e-mail or kiosk.

3 **Sec. 15.** RCW 28B.15.070 and 1995 1st sp.s. c 9 s 7 are each
4 amended to read as follows:

5 (1) The (~~higher education coordinating~~) board, in consultation
6 with the house of representatives and senate committees responsible for
7 higher education, the respective fiscal committees of the house of
8 representatives and senate, the office of financial management, the
9 state board for community and technical colleges, and the state
10 institutions of higher education, shall develop (~~by December of every~~
11 ~~fourth year beginning in 1989, definitions, criteria, and procedures~~
12 ~~for determining~~) standardized methods and protocols for measuring the
13 undergraduate and graduate educational costs for the state
14 universities, regional universities, and community colleges, including
15 but not limited to the costs of instruction, costs to provide degrees
16 in specific fields, and costs for precollege remediation.

17 (2) (~~Every four years, the state institutions of higher education~~
18 ~~in cooperation with the higher education coordinating board shall~~
19 ~~perform an educational cost study pursuant to subsection (1) of this~~
20 ~~section. The study shall be conducted based on every fourth academic~~
21 ~~year beginning with 1989-90. Institutions shall complete the studies~~
22 ~~within one year of the end of the study year and report the results to~~
23 ~~the higher education coordinating board for consolidation, review, and~~
24 ~~distribution.)) By December 1, 2004, the board must propose a schedule
25 of regular cost study reports intended to meet the information needs of
26 the governor's office and the legislature and the requirements of RCW
27 28B.10.044 and submit the proposed schedule to the higher education and
28 fiscal committees of the house of representatives and the senate for
29 their review.~~

30 (3) (~~In order to conduct the study required by subsection (2) of~~
31 ~~this section, the higher education coordinating board, in cooperation~~
32 ~~with)) The institutions of higher education(, shall develop a
33 methodology that requires the collection of comparable educational cost
34 data, which utilizes a faculty activity analysis or similar
35 instrument)) shall participate in the development of cost study methods
36 and shall provide all necessary data in a timely fashion consistent
37 with the protocols developed.~~

1 ~~28B.10.220 (blind students subsidy); RCW 28B.10.800 through 28B.10.824~~
2 ~~(student financial aid program)) chapter 28B.-- RCW (as created in~~
3 ~~section 78 of this act) (state need grant); chapter 28B.12 RCW (work~~
4 ~~study); ((RCW 28B.15.067 (establishing tuition and fees);)) RCW~~
5 ~~28B.15.543 (tuition waivers for Washington scholars); RCW 28B.15.760~~
6 ~~through 28B.15.766 (math and science loans); ((RCW 28B.80.150 through~~
7 ~~28B.80.170 (student exchange compact); RCW 28B.80.240 (student aid~~
8 ~~programs); and RCW 28B.80.210 (federal programs)).~~

9 ~~(2) Study the delegation of the administration of the following:~~
10 ~~RCW 28B.65.040 through 28B.65.060 (high technology board); chapter~~
11 ~~28B.85 RCW (degree granting institutions); RCW 28B.80.150 through~~
12 ~~28B.80.170 (student exchange compact programs); RCW 28B.80.200 (state~~
13 ~~commission for federal law purposes); RCW 28B.80.210 (enumerated~~
14 ~~federal programs); RCW 28B.80.230 (receipt of federal funds); RCW~~
15 ~~28B.80.240 (student financial aid programs); RCW 28A.600.120 through~~
16 ~~28A.600.150 (Washington scholars); RCW 28B.15.543 (Washington~~
17 ~~scholars); RCW 28B.04.020 through 28B.04.110 (displaced homemakers);~~
18 ~~RCW 28B.10.215 and 28B.10.220 (blind students); RCW 28B.10.790,~~
19 ~~28B.10.792, and 28B.10.802 through 28B.10.844 (student financial aid);~~
20 ~~RCW 28B.12.040 through 28B.12.070 (student work study);)) RCW~~
21 ~~28B.15.100 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736~~
22 ~~(Oregon reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho~~
23 ~~reciprocity); RCW 28B.15.756 and 28B.15.758 (British Columbia~~
24 ~~reciprocity); ((and RCW 28B.15.760 through 28B.15.764 (math/science~~
25 ~~loans)) chapter 28B.101 RCW (educational opportunity grant); chapter~~
26 ~~28B.102 RCW (future teachers conditional scholarship); chapter 28B.108~~
27 ~~RCW (American Indian endowed scholarship); chapter 28B.109 RCW~~
28 ~~(Washington international exchange scholarship); chapter 28B.115 RCW~~
29 ~~(health professional conditional scholarship); chapter 28B.119 RCW~~
30 ~~(Washington promise scholarship); and chapter 28B.133 RCW (gaining~~
31 ~~independence for students with dependents).~~

32 **Sec. 19.** RCW 28B.10.859 and 1989 c 187 s 1 are each amended to
33 read as follows:

34 For the purposes of RCW 28B.10.866 through 28B.10.873 (as
35 recodified by this act), "private donation" includes assessments by
36 commodity commissions authorized to conduct research activities
37 including but not limited to research studies authorized under RCW
38 15.66.030 and 15.65.040.

1 **Sec. 20.** RCW 28B.10.868 and 1991 sp.s. c 13 s 99 are each amended
2 to read as follows:

3 Funds appropriated by the legislature for the distinguished
4 professorship program shall be deposited in the distinguished
5 professorship trust fund. At the request of the higher education
6 coordinating board under RCW 28B.10.870 (as recodified by this act),
7 the treasurer shall release the state matching funds to the designated
8 institution's local endowment fund. No appropriation is required for
9 expenditures from the fund.

10 **Sec. 21.** RCW 28B.10.873 and 1987 c 8 s 8 are each amended to read
11 as follows:

12 A distinguished professorship program established under chapter
13 343, Laws of 1985 shall continue to operate under RCW 28B.10.866
14 through 28B.10.872 (as recodified by this act) and the requirements of
15 RCW 28B.10.866 through 28B.10.872 (as recodified by this act) shall
16 apply.

17 **Sec. 22.** RCW 28B.10.882 and 1991 sp.s. c 13 s 88 are each amended
18 to read as follows:

19 Funds appropriated by the legislature for the graduate fellowship
20 program shall be deposited in the graduate fellowship trust fund. At
21 the request of the higher education coordinating board under RCW
22 28B.10.884 (as recodified by this act), the treasurer shall release the
23 state matching funds to the designated institution's local endowment
24 fund. No appropriation is required for expenditures from the fund.

25 **Sec. 23.** RCW 28B.80.160 and 1995 c 217 s 1 are each amended to
26 read as follows:

27 In the development of any such plans as called for within RCW
28 28B.80.150 (as recodified by this act), the board shall use at least
29 the following criteria:

30 (1) Students who are eligible to attend compact-authorized programs
31 in other states shall meet the Washington residency requirements of
32 chapter 28B.15 RCW prior to being awarded tuition assistance.

33 (2) For recipients named after January 1, 1995, the tuition
34 assistance shall be in the form of loans that may be completely
35 forgiven in exchange for the student's service within the state of

1 Washington after graduation. The requirements for such service and
2 provisions for loan forgiveness shall be determined in rules adopted by
3 the board.

4 (3) If appropriations are insufficient to fund all students
5 qualifying under subsection (1) of this section, then the plans shall
6 include criteria for student selection that would be in the best
7 interest in meeting the state's educational needs, as well as
8 recognizing the financial needs of students.

9 (4) Receipts from the payment of principal or interest or any other
10 subsidies to which the board as administrator is entitled, that are
11 paid by or on behalf of participants under this section, shall be
12 deposited with the board and placed in an account created in this
13 section and shall be used to cover the costs of granting the
14 scholarships, maintaining necessary records, and making collections.
15 The board shall maintain accurate records of these costs, and all
16 receipts beyond those necessary to pay such costs shall be used to
17 grant conditional loans to eligible students.

18 (5) The Washington interstate commission on higher education
19 professional student exchange program trust fund is created in the
20 custody of the state treasurer. All receipts from loan repayment shall
21 be deposited into the fund. Only the higher education coordinating
22 board, or its designee, may authorize expenditures from the fund. No
23 appropriation is required for expenditures from this fund.

24 **Sec. 24.** RCW 28B.80.245 and 1999 c 159 s 3 are each amended to
25 read as follows:

26 (1) Recipients of the Washington scholars award or the Washington
27 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who
28 choose to attend an independent college or university in this state, as
29 defined in subsection (4) of this section, and recipients of the award
30 named after June 30, 1994, who choose to attend a public college or
31 university in the state may receive grants under this section if moneys
32 are available. The higher education coordinating board shall
33 distribute grants to eligible students under this section from moneys
34 appropriated for this purpose. The individual grants shall not exceed,
35 on a yearly basis, the yearly, full-time, resident, undergraduate
36 tuition and service and activities fees in effect at the state-funded
37 research universities. Grants to recipients attending an independent
38 institution shall be contingent upon the institution matching on at

1 least a dollar-for-dollar basis, either with actual money or by a
2 waiver of fees, the amount of the grant received by the student from
3 the state. The higher education coordinating board shall establish
4 procedures, by rule, to disburse the awards as direct grants to the
5 students.

6 (2) The higher education coordinating board shall establish rules
7 that provide for the annual awarding of grants, if moneys are
8 available, to three Washington scholars per legislative district; and,
9 if not used by an original recipient, to the Washington scholars-
10 alternate from the same legislative district.

11 Beginning with scholars selected in the year 2000, if the
12 recipients of grants fail to demonstrate in a timely manner that they
13 will enroll in a Washington institution of higher education in the fall
14 term of the academic year following the award of the grant or are
15 deemed by the higher education coordinating board to have withdrawn
16 from college during the first academic year following the award, then
17 the grant shall be considered relinquished. The higher education
18 coordinating board may then award any remaining grant amounts to the
19 Washington scholars-alternate from the same legislative district if the
20 grants are awarded within one calendar year of the recipient being
21 named a Washington scholars-alternate. Washington scholars-alternates
22 named as recipients of the grant must also demonstrate in a timely
23 manner that they will enroll in a Washington institution of higher
24 education during the next available term, as determined by the higher
25 education coordinating board. The board may accept appeals and grant
26 waivers to the enrollment requirements of this section based on
27 exceptional mitigating circumstances of individual grant recipients.

28 To maintain eligibility for the grants, recipients must maintain a
29 minimum grade point average at the college or university equivalent to
30 3.30. Students shall be eligible to receive a maximum of twelve
31 quarters or eight semesters of grants for undergraduate study and may
32 transfer among in-state public and independent colleges and
33 universities during that period and continue to receive the grant as
34 provided under RCW 28B.80.246 (as recodified by this act). If the
35 student's cumulative grade point average falls below 3.30 during the
36 first three quarters or two semesters, that student may petition the
37 higher education coordinating board which shall have the authority to
38 establish a probationary period until such time as the student's grade
39 point average meets required standards.

1 (3) No grant shall be awarded to any student who is pursuing a
2 degree in theology.

3 (4) As used in this section, "independent college or university"
4 means a private, nonprofit educational institution, the main campus of
5 which is permanently situated in the state, open to residents of the
6 state, providing programs of education beyond the high school level
7 leading at least to the baccalaureate degree, and accredited by the
8 northwest association of schools and colleges as of June 9, 1988, and
9 other institutions as may be developed that are approved by the higher
10 education coordinating board as meeting equivalent standards as those
11 institutions accredited under this section.

12 (5) As used in this section, "public college or university" means
13 an institution of higher education as defined in RCW 28B.10.016.

14 **Sec. 25.** RCW 28B.80.246 and 1995 1st sp.s. c 5 s 4 are each
15 amended to read as follows:

16 Students receiving grants under RCW 28B.80.245 (as recodified by
17 this act) or waivers under RCW 28B.15.543 are entitled to transfer
18 among in-state public and independent colleges or universities and to
19 continue to receive award benefits, as provided in this section, in the
20 form of a grant or waiver of tuition and services and activities fees
21 while enrolled at such institutions during the period of eligibility.
22 The total grants or waivers for any one student shall not exceed twelve
23 quarters or eight semesters of undergraduate study.

24 (1) Scholars named to the award on or before June 30, 1994, may
25 transfer between in-state public institutions, or from an eligible
26 independent college or university to an in-state public institution of
27 higher education, and are entitled to receive the waiver of tuition and
28 services and activities fees.

29 (2) Scholars named to the award on or before June 30, 1994, may
30 transfer from an in-state public institution to an eligible independent
31 college or university, or between eligible independent colleges or
32 universities, and continue to receive a grant contingent upon available
33 funding.

34 (3) Scholars named to the award after June 30, 1994, may transfer
35 among in-state public or private colleges and universities and continue
36 to receive the grant contingent upon available funding.

37 (4) In addition, scholars who transfer to an eligible independent
38 institution may receive the grant contingent upon the agreement of the

1 school to match on at least a dollar-for-dollar basis, either with
2 actual money or by a waiver of fees, the amount of the grant received
3 by the student from the state.

4 **Sec. 26.** RCW 28B.80.620 and 1999 c 177 s 2 are each amended to
5 read as follows:

6 (1) The higher education coordinating board, in consultation with
7 the state board of education has the following powers and duties in
8 administering the pilot program established in RCW 28B.80.622 (as
9 recodified by this act):

10 (a) To adopt rules necessary to carry out the program;

11 (b) To establish one or more review committees to assist in the
12 evaluation of proposals for funding. The review committee shall
13 include individuals with significant experience in higher education in
14 areas relevant to one or more of the funding period priorities and
15 shall include representatives from elementary, two-year, and four-year
16 sectors of education;

17 (c) To award grants no later than September 1st in those years when
18 funding is available by June 30th;

19 (d) To establish each biennium specific guidelines for submitting
20 grant proposals consistent with the overall goals of the program.
21 During the 1999-2001 biennium, the guidelines shall be consistent with
22 the following desired outcomes of:

23 (i) Designing a college-level course for enrollment of selected
24 high school seniors interested in teaching careers and students
25 enrolled in a school-based future teachers academy;

26 (ii) Designing discipline-based lower division courses that are
27 thematically linked to state student learning goals, essential academic
28 learning requirements, and upper division courses in the
29 interdisciplinary arts and science curriculum and supportive of
30 teaching areas appropriate for prospective teachers;

31 (iii) Designing a preprofessional educational studies minor that
32 would be pursued by prospective kindergarten through eighth grade
33 teachers in conjunction with an interdisciplinary arts and science
34 major;

35 (iv) Designing mentoring and service learning activities at the
36 community college level that would provide prospective teachers with an
37 orientation to professional education; and

1 (v) Designing a process for satisfying certification requirements
2 that encompasses pedagogical coursework and school-based internships
3 cognizant of the financial constraints of working students.

4 (2) The pilot project in this section shall conclude no later than
5 January 1, 2005.

6 (3) Beginning on December 31, 2001, the higher education
7 coordinating board shall submit an annual written report to the
8 education and higher education committees of the legislature, the state
9 board of education, and the office of the superintendent of public
10 instruction on the status of the pilot project.

11 **Sec. 27.** RCW 28B.80.626 and 1999 c 177 s 5 are each amended to
12 read as follows:

13 The higher education coordinating board teacher training pilot
14 account is established in the custody of the state treasurer. The
15 higher education coordinating board shall deposit in the account all
16 moneys received under RCW 28B.80.624 (as recodified by this act).
17 Moneys in the account may be spent only for the purposes of RCW
18 28B.80.622 (as recodified by this act). Disbursements from the account
19 shall be on the authorization of the higher education coordinating
20 board. The account is subject to the allotment procedure provided
21 under chapter 43.88 RCW, but no appropriation is required for
22 disbursements.

23 **PART IV**

24 **TRANSFER DISPLACED HOMEMAKER PROGRAM**

25 NEW SECTION. **Sec. 28.** (1) The powers, duties, and functions of
26 administering the displaced homemaker program under chapter 28B.04 RCW
27 are hereby transferred from the higher education coordinating board to
28 the state board for community and technical colleges.

29 (2)(a) All reports, documents, surveys, books, records, files,
30 papers, or written material in the possession of the higher education
31 coordinating board related to the displaced homemaker program shall be
32 delivered to the custody of the state board for community and technical
33 colleges. All cabinets, furniture, office equipment, motor vehicles,
34 and other tangible property employed by the higher education
35 coordinating board for the displaced homemaker program shall be made
36 available to the state board for community and technical colleges. All

1 funds, credits, or other assets held by the higher education
2 coordinating board for the displaced homemaker program shall be
3 assigned to the state board for community and technical colleges.

4 (b) If any question arises as to the transfer of any personnel,
5 funds, books, documents, records, papers, files, equipment, or other
6 tangible property used or held in the exercise of the powers and the
7 performance of the duties and functions transferred, the director of
8 financial management shall make a determination as to the proper
9 allocation and certify the same to the state agencies concerned.

10 (c) Any appropriations made in connection with the powers, duties,
11 and functions transferred by this act shall, on the effective date of
12 this section, be transferred and credited to the state board for
13 community and technical colleges.

14 (3) All employees of the higher education coordinating board
15 related to the displaced homemaker program are transferred to the
16 jurisdiction of the state board for community and technical colleges.
17 All employees classified under chapter 41.06 RCW, the state civil
18 service law, are assigned to the state board for community and
19 technical colleges to perform their usual duties upon the same terms as
20 formerly, without any loss of rights, subject to any action that may be
21 appropriate thereafter in accordance with the laws and rules governing
22 state civil service.

23 (4) All rules and all pending business before the higher education
24 coordinating board related to the displaced homemaker program shall be
25 continued and acted upon by the state board for community and technical
26 colleges. All existing contracts and obligations shall remain in full
27 force and shall be performed by the state board for community and
28 technical colleges.

29 (5) The transfer of the powers, duties, functions, and personnel of
30 the higher education coordinating board related to the displaced
31 homemaker program shall not affect the validity of any act performed
32 before the effective date of this section.

33 (6) If apportionments of budgeted funds are required because of the
34 transfers directed by this section, the director of financial
35 management shall certify the apportionments to the agencies affected,
36 the state auditor, and the state treasurer. Each of these shall make
37 the appropriate transfer and adjustments in funds and appropriation
38 accounts and equipment records in accordance with the certification.

1 **Sec. 29.** RCW 28B.04.020 and 1985 c 370 s 36 are each amended to
2 read as follows:

3 The legislature finds that homemakers are an unrecognized part of
4 the work force who make an invaluable contribution to the strength,
5 durability, and purpose of our state.

6 The legislature further finds that there is an increasing number of
7 persons in this state who, having fulfilled a role as homemaker, find
8 themselves "displaced" in their middle years through divorce, death of
9 spouse, disability of spouse, or other loss of family income of a
10 spouse. As a consequence, displaced homemakers are very often left
11 with little or no income; they are ineligible for categorical welfare
12 assistance; they are subject to the highest rate of unemployment of any
13 sector of the work force; they face continuing discrimination in
14 employment because of their age and lack of recent paid work
15 experience; they are ineligible for unemployment insurance because they
16 have been engaged in unpaid labor in the home; they are ineligible for
17 social security benefits because they are too young, and many never
18 qualify because they have been divorced from the family wage earner;
19 they may have lost beneficiaries' rights under employer's pension and
20 health plans through divorce or death of spouse; and they are often
21 unacceptable to private health insurance plans because of their age.

22 It is the purpose of this chapter to establish guidelines under
23 which the (~~higher education coordinating board~~) state board for
24 community and technical colleges shall contract to establish
25 multipurpose service centers and programs to provide necessary training
26 opportunities, counseling, and services for displaced homemakers so
27 that they may enjoy the independence and economic security vital to a
28 productive life.

29 **Sec. 30.** RCW 28B.04.030 and 1985 c 370 s 37 are each amended to
30 read as follows:

31 Unless the context clearly requires otherwise, the definitions in
32 this section apply throughout this chapter.

33 (1) "Board" means the (~~higher education coordinating board~~) state
34 board for community and technical colleges.

35 (2) "Center" means a multipurpose service center for displaced
36 homemakers as described in RCW 28B.04.040.

37 (3) "Program" means those programs described in RCW 28B.04.050

1 which provide direct, outreach, and information and training services
2 which serve the needs of displaced homemakers.

3 (4) "Displaced homemaker" means an individual who:

4 (a) Has worked in the home for ten or more years providing
5 unsalaried household services for family members on a full-time basis;
6 and

7 (b) Is not gainfully employed;

8 (c) Needs assistance in securing employment; and

9 (d) Has been dependent on the income of another family member but
10 is no longer supported by that income, or has been dependent on federal
11 assistance but is no longer eligible for that assistance, or is
12 supported as the parent of minor children by public assistance or
13 spousal support but whose children are within two years of reaching
14 their majority.

15 **Sec. 31.** RCW 28B.04.080 and 1985 c 370 s 42 are each amended to
16 read as follows:

17 (1) The board shall consult and cooperate with the department of
18 social and health services; the (~~state board for community college~~
19 ~~education~~) higher education coordinating board; the superintendent of
20 public instruction; the (~~commission for vocational education~~) work
21 force training and education coordinating board; the employment
22 security department; the department of labor and industries; sponsoring
23 agencies under the federal comprehensive employment and training act
24 (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or
25 agencies as the board deems appropriate to facilitate the coordination
26 of centers established under this chapter with existing programs of a
27 similar nature.

28 (2) Annually on July 1st, each agency listed in subsection (1) of
29 this section shall submit a description of each service or program
30 under its jurisdiction which would support the programs and centers
31 established by this chapter and the funds available for such support.

32 (3) The board shall serve as a clearinghouse for displaced
33 homemaker information and resources and shall compile and disseminate
34 statewide information to the centers, related agencies, and interested
35 persons upon request.

36 **Sec. 32.** RCW 28B.04.085 and 1987 c 230 s 2 are each amended to
37 read as follows:

1 (1) The executive coordinator of the (~~higher education~~
2 ~~coordinating~~) board shall establish an advisory committee, to be known
3 as the displaced homemaker program advisory committee.

4 (2) The advisory committee shall be advisory to the executive
5 coordinator and staff of the board.

6 (3) Committee membership shall not exceed twenty-two persons and
7 shall be geographically and generally representative of the state. At
8 least one member of the advisory committee shall either be or recently
9 have been a displaced homemaker.

10 (4) Functions of the advisory committee shall be:

11 (a) To provide advice on all aspects of administration of the
12 displaced homemaker program, including content of program rules,
13 guidelines, and application procedures;

14 (b) To assist in coordination of activities under the displaced
15 homemaker program with related activities of other state and federal
16 agencies, with particular emphasis on facilitation of coordinated
17 funding.

18 NEW SECTION. **Sec. 33.** Sections 28 through 32 of this act take
19 effect July 1, 2005.

20 **PART V**
21 **STATE NEED GRANT**

22 **Sec. 34.** RCW 28B.10.800 and 1999 c 345 s 2 are each amended to
23 read as follows:

24 The purposes of (~~RCW 28B.10.800 through 28B.10.824~~) this chapter
25 are to establish the principles upon which the state financial aid
26 programs will be based and to establish the state of Washington state
27 need grant program, thus assisting financially needy or disadvantaged
28 students domiciled in Washington to obtain the opportunity of attending
29 an accredited institution of higher education (~~, as defined in RCW~~
30 ~~28B.10.802(1)~~). State need grants under (~~RCW 28B.10.800 through~~
31 ~~28B.10.824~~) this chapter are available only to students who are
32 resident students as defined in RCW 28B.15.012(2) (a) through (d).

33 **Sec. 35.** RCW 28B.10.802 and 2002 c 187 s 1 are each amended to
34 read as follows:

35 As used in (~~RCW 28B.10.800 through 28B.10.824~~) this chapter:

1 (1) "Institution or institutions of higher education" (~~shall mean~~
2 ~~(1) [(a)]~~) means:

3 (a) Any public university, college, community college, or
4 (~~vocational technical institute~~) technical college operated by the
5 state of Washington or any political subdivision thereof; or
6 (~~(2) [(b)]~~) (b) Any other university, college, school, or
7 institute in the state of Washington offering instruction beyond the
8 high school level which is a member institution of an accrediting
9 association recognized by rule of the board for the purposes of this
10 section: PROVIDED, That any institution, branch, extension or facility
11 operating within the state of Washington which is affiliated with an
12 institution operating in another state must be a separately accredited
13 member institution of any such accrediting association, or a branch of
14 a member institution of an accrediting association recognized by rule
15 of the board for purposes of this section, that is eligible for federal
16 student financial aid assistance and has operated as a nonprofit
17 college or university delivering on-site classroom instruction for a
18 minimum of twenty consecutive years within the state of Washington, and
19 has an annual enrollment of at least seven hundred full-time equivalent
20 students: PROVIDED FURTHER, That no institution of higher education
21 shall be eligible to participate in a student financial aid program
22 unless it agrees to and complies with program rules and regulations
23 adopted pursuant to RCW 28B.10.822 (as recodified by this act).

24 (2) (~~The term~~) "Financial aid" (~~shall mean~~) means loans and/or
25 grants to needy students enrolled or accepted for enrollment as a
26 student at institutions of higher education.

27 (3) (~~The term~~) "Needy student" (~~shall mean~~) means a post high
28 school student of an institution of higher (~~learning as defined in~~
29 ~~subsection (1) of this section~~) education who demonstrates to the
30 board the financial inability, either through the student's parents,
31 family and/or personally, to meet the total cost of board, room, books,
32 and tuition and incidental fees for any semester or quarter.

33 (4) (~~The term~~) "Disadvantaged student" (~~shall mean~~) means a
34 post high school student who by reason of adverse cultural,
35 educational, environmental, experiential, familial or other
36 circumstances is unable to qualify for enrollment as a full time
37 student in an institution of higher (~~learning~~) education, who would
38 otherwise qualify as a needy student, and who is attending an

1 institution of higher (~~learning~~) education under an established
2 program designed to qualify the student for enrollment as a full time
3 student.

4 (5) (~~"Commission" or~~) "Board" (~~(shall mean)~~) means the higher
5 education coordinating board.

6 **Sec. 36.** RCW 28B.10.804 and 1999 c 345 s 3 are each amended to
7 read as follows:

8 The board shall be cognizant of the following guidelines in the
9 performance of its duties:

10 (1) The board shall be research oriented, not only at its inception
11 but continually through its existence.

12 (2) The board shall coordinate all existing programs of financial
13 aid except those specifically dedicated to a particular institution by
14 the donor.

15 (3) The board shall take the initiative and responsibility for
16 coordinating all federal student financial aid programs to ensure that
17 the state recognizes the maximum potential effect of these programs,
18 and shall design state programs that complement existing federal,
19 state, and institutional programs. The board shall ensure that state
20 programs continue to follow the principle that state financial aid
21 funding follows the student to the student's choice of institution of
22 higher education.

23 (4) Counseling is a paramount function of the state need grant and
24 other state student financial aid programs, and in most cases could
25 only be properly implemented at the institutional levels; therefore,
26 state student financial aid programs shall be concerned with the
27 attainment of those goals which, in the judgment of the board, are the
28 reasons for the existence of a student financial aid program, and not
29 solely with administration of the program on an individual basis.

30 (5) The "package" approach of combining loans, grants and
31 employment for student financial aid shall be the conceptual element of
32 the state's involvement.

33 (6) The board shall ensure that allocations of state appropriations
34 for financial aid are made to individuals and institutions in a timely
35 manner and shall closely monitor expenditures to avoid under or
36 overexpenditure of appropriated funds.

1 **Sec. 37.** RCW 28B.10.808 and 1999 c 345 s 5 are each amended to
2 read as follows:

3 In awarding need grants, the board shall proceed substantially as
4 follows: PROVIDED, That nothing contained herein shall be construed to
5 prevent the board, in the exercise of its sound discretion, from
6 following another procedure when the best interest of the program so
7 dictates:

8 (1) The board shall annually select the financial aid award
9 recipients from among Washington residents applying for student
10 financial aid who have been ranked according to financial need as
11 determined by the amount of the family contribution and other
12 considerations brought to the board's attention.

13 (2) The financial need of the highest ranked students shall be met
14 by grants depending upon the evaluation of financial need until the
15 total allocation has been disbursed. Funds from grants which are
16 declined, forfeited or otherwise unused shall be reawarded until
17 dispersed.

18 (3) A student shall be eligible to receive a state need grant for
19 up to five years, or the credit or clock hour equivalent of five years,
20 or up to one hundred twenty-five percent of the published length of
21 time of the student's program. A student may not start a new associate
22 degree program as a state need grant recipient until at least five
23 years have elapsed since earning an associate degree as a need grant
24 recipient, except that a student may earn two associate degrees
25 concurrently. Qualifications for renewal will include maintaining
26 satisfactory academic progress toward completion of an eligible program
27 as determined by the board. Should the recipient terminate his or her
28 enrollment for any reason during the academic year, the unused portion
29 of the grant shall be returned to the state educational grant fund by
30 the institution according to the institution's own policy for issuing
31 refunds, except as provided in RCW 28B.10.8081 (as recodified by this
32 act).

33 (4) In computing financial need, the board shall determine a
34 maximum student expense budget allowance, not to exceed an amount equal
35 to the total maximum student expense budget at the public institutions
36 plus the current average state appropriation per student for operating
37 expense in the public institutions.

1 **Sec. 38.** RCW 28B.10.8081 and 1991 c 164 s 3 are each amended to
2 read as follows:

3 Under rules adopted by the board, the provisions of RCW
4 28B.10.808(3) (as recodified by this act) shall not apply to eligible
5 students, as defined in RCW 28B.10.017, and eligible students shall not
6 be required to repay the unused portions of grants received under the
7 state student financial aid program.

8 **Sec. 39.** RCW 28B.10.810 and 1999 c 345 s 6 are each amended to
9 read as follows:

10 For a student to be eligible for a state need grant a student must:

11 (1) Be a "needy student" or "disadvantaged student" as determined
12 by the board in accordance with RCW 28B.10.802 (3) and (4) (as
13 recodified by this act).

14 (2) Have been domiciled within the state of Washington for at least
15 one year.

16 (3) Be enrolled or accepted for enrollment on at least a half-time
17 basis at an institution of higher education in Washington as defined in
18 RCW 28B.10.802(1) (as recodified by this act).

19 (4) Have complied with all the rules and regulations adopted by the
20 board for the administration of (~~RCW 28B.10.800 through 28B.10.824~~)
21 this chapter.

22 **Sec. 40.** RCW 28B.10.816 and 1969 ex.s. c 222 s 16 are each amended
23 to read as follows:

24 A state financial aid recipient under (~~RCW 28B.10.800 through~~
25 ~~28B.10.824~~) this chapter shall apply the award toward the cost of
26 tuition, room, board, books and fees at the institution of higher
27 education attended.

28 **Sec. 41.** RCW 28B.10.818 and 1969 ex.s. c 222 s 17 are each amended
29 to read as follows:

30 Funds appropriated for student financial assistance to be granted
31 pursuant to (~~RCW 28B.10.800 through 28B.10.824~~) this chapter shall be
32 disbursed as determined by the (~~commission~~) board.

33 **Sec. 42.** RCW 28B.10.820 and 1969 ex.s. c 222 s 18 are each amended
34 to read as follows:

35 The (~~commission~~) board shall be authorized to accept grants,

1 gifts, bequests, and devises of real and personal property from any
2 source for the purpose of granting financial aid in addition to that
3 funded by the state.

4 **Sec. 43.** RCW 28B.10.822 and 1999 c 345 s 7 are each amended to
5 read as follows:

6 The board shall adopt rules as may be necessary or appropriate for
7 effecting the provisions of (~~RCW 28B.10.800 through 28B.10.824 and~~
8 ~~28B.10.801, and not in conflict with RCW 28B.10.800 through~~
9 ~~28B.10.824~~) this chapter, in accordance with the provisions of chapter
10 34.05 RCW, the administrative procedure act.

11 **Sec. 44.** RCW 28B.10.790 and 1985 c 370 s 54 are each amended to
12 read as follows:

13 Washington residents attending any nonprofit college or university
14 in another state which has a reciprocity agreement with the state of
15 Washington shall be eligible for the student financial aid program
16 outlined in (~~RCW 28B.10.800 through 28B.10.824~~) chapter 28B.-- RCW
17 (as created in section 78 of this act) if (1) they qualify as a "needy
18 student" under RCW 28B.10.802(3) (as recodified by this act), and (2)
19 the institution attended is a member institution of an accrediting
20 association recognized by rule of the higher education coordinating
21 board for the purposes of this section and is specifically encompassed
22 within or directly affected by such reciprocity agreement and agrees to
23 and complies with program rules and regulations pertaining to such
24 students and institutions adopted pursuant to RCW 28B.10.822 (as
25 recodified by this act).

26 **PART VI**
27 **MISCELLANEOUS**

28 **Sec. 45.** RCW 28B.10.650 and 1985 c 370 s 53 are each amended to
29 read as follows:

30 It is the intent of the legislature that when the state and
31 regional universities, The Evergreen State College, and community
32 colleges grant professional leaves to faculty and exempt staff, such
33 leaves be for the purpose of providing opportunities for study,
34 research, and creative activities for the enhancement of the
35 institution's instructional and research programs.

1 The boards of regents of the state universities, the boards of
2 trustees of the regional universities and of The Evergreen State
3 College and the board of trustees of each community college district
4 may grant remunerated professional leaves to faculty members and exempt
5 staff, as defined in RCW (~~28B.16.040~~) 41.06.070, in accordance with
6 regulations adopted by the respective governing boards for periods not
7 to exceed twelve consecutive months in accordance with the following
8 provisions:

9 (1) The remuneration from state general funds and general local
10 funds for any such leave granted for any academic year shall not exceed
11 the average of the highest quartile of a rank order of salaries of all
12 full time teaching faculty holding academic year contracts or
13 appointments at the institution or in the district.

14 (2) Remunerated professional leaves for a period of more or less
15 than an academic year shall be compensated at rates not to exceed a
16 proportional amount of the average salary as otherwise calculated for
17 the purposes of subsection (1) of this section.

18 (3) The grant of any such professional leave shall be contingent
19 upon a signed contractual agreement between the respective governing
20 board and the recipient providing that the recipient shall return to
21 the granting institution or district following his or her completion of
22 such leave and serve in a professional status for a period commensurate
23 with the amount of leave so granted. Failure to comply with the
24 provisions of such signed agreement shall constitute an obligation of
25 the recipient to repay to the institution any remuneration received
26 from the institution during the leave.

27 (4) The aggregate cost of remunerated professional leaves awarded
28 at the institution or district during any year, including the cost of
29 replacement personnel, shall not exceed the cost of salaries which
30 otherwise would have been paid to personnel on leaves: PROVIDED, That
31 for community college districts the aggregate cost shall not exceed one
32 hundred fifty percent of the cost of salaries which would have
33 otherwise been paid to personnel on leaves: PROVIDED FURTHER, That
34 this subsection shall not apply to any community college district with
35 fewer than seventy-five full time faculty members and granting fewer
36 than three individuals such leaves in any given year.

37 (5) The average number of annual remunerated professional leaves
38 awarded at any such institution or district shall not exceed four

1 percent of the total number of full time equivalent faculty, as defined
2 by the office of financial management, who are engaged in instruction,
3 and exempt staff as defined in RCW (~~28B.16.040~~) 41.06.070.

4 (6) Negotiated agreements made in accordance with chapter 28B.52
5 RCW and entered into after July 1, 1977, shall be in conformance with
6 the provisions of this section.

7 (7) The respective institutions and districts shall maintain such
8 information which will ensure compliance with the provisions of this
9 section. (~~The higher education coordinating board shall periodically
10 request such information as to ensure institutions are in compliance.~~)

11 **Sec. 46.** RCW 28A.600.110 and 1994 c 234 s 4 are each amended to
12 read as follows:

13 There is established by the legislature of the state of Washington
14 the Washington state scholars program. The purposes of this program
15 annually are to:

16 (1) Provide for the selection of three seniors residing in each
17 legislative district in the state graduating from high schools who have
18 distinguished themselves academically among their peers.

19 (2) Maximize public awareness of the academic achievement,
20 leadership ability, and community contribution of Washington state
21 public and private high school seniors through appropriate recognition
22 ceremonies and events at both the local and state level.

23 (3) Provide a listing of the Washington scholars to all Washington
24 state public and private colleges and universities to facilitate
25 communication regarding academic programs and scholarship availability.

26 (4) Make available a state level mechanism for utilization of
27 private funds for scholarship awards to outstanding high school
28 seniors.

29 (5) Provide, on written request and with student permission, a
30 listing of the Washington scholars to private scholarship selection
31 committees for notification of scholarship availability.

32 (6) Permit a waiver of tuition and services and activities fees as
33 provided for in RCW 28B.15.543 and grants under RCW 28B.80.245 (as
34 recodified by this act).

35 **Sec. 47.** RCW 28B.10.020 and 1985 c 370 s 50 are each amended to
36 read as follows:

37 The boards of regents of the University of Washington and

1 Washington State University, respectively, and the boards of trustees
2 of Central Washington University, Eastern Washington University,
3 Western Washington University, and The Evergreen State College,
4 respectively, shall have the power and authority to acquire by
5 exchange, gift, purchase, lease, or condemnation in the manner provided
6 by chapter 8.04 RCW for condemnation of property for public use, such
7 lands, real estate and other property, and interests therein as they
8 may deem necessary for the use of said institutions respectively.
9 However, the purchase or lease of major off-campus facilities is
10 subject to the approval of the higher education coordinating board
11 under (~~RCW 28B.80.340~~) section 9 of this act.

12 **Sec. 48.** RCW 28B.10.050 and 1985 c 370 s 91 are each amended to
13 read as follows:

14 Except as the legislature shall otherwise specifically direct, the
15 boards of regents and the boards of trustees for the state
16 universities, the regional universities, and The Evergreen State
17 College may establish entrance requirements for their respective
18 institutions of higher education which meet or exceed the minimum
19 entrance requirements established under RCW 28B.80.350(2) (as
20 recodified by this act).

21 **Sec. 49.** RCW 28B.15.543 and 1995 1st sp.s. c 5 s 2 are each
22 amended to read as follows:

23 (1) Subject to the limitations of RCW 28B.15.910, the governing
24 boards of the state universities, the regional universities, The
25 Evergreen State College, and the community colleges shall waive tuition
26 and service and activities fees for students named by the higher
27 education coordinating board on or before June 30, 1994, as recipients
28 of the Washington scholars award under RCW 28A.600.100 through
29 28A.600.150. The waivers shall be used only for undergraduate studies.
30 To qualify for the waiver, recipients shall enter the college or
31 university within three years of high school graduation and maintain a
32 minimum grade point average at the college or university equivalent to
33 3.30. Students shall be eligible to receive a maximum of twelve
34 quarters or eight semesters of waivers and may transfer among state-
35 supported institutions of higher education during that period and
36 continue to have the tuition and services and activities fees waived by
37 the state-supported institution of higher education that the student

1 attends. Should the student's cumulative grade point average fall
2 below 3.30 during the first three quarters or two semesters, that
3 student may petition the higher education coordinating board which
4 shall have the authority to establish a probationary period until such
5 time as the student's grade point average meets required standards.

6 (2) Students named by the higher education coordinating board after
7 June 30, 1994, as recipients of the Washington scholars award under RCW
8 28A.600.100 through 28A.600.150 shall be eligible to receive a grant
9 for undergraduate course work as authorized under RCW 28B.80.245 (as
10 recodified by this act).

11 **Sec. 50.** RCW 28B.15.545 and 1995 1st sp.s. c 7 s 7 are each
12 amended to read as follows:

13 (1) Subject to the limitations of RCW 28B.15.910, the governing
14 boards of the state universities, the regional universities, The
15 Evergreen State College, and the community colleges shall waive tuition
16 and services and activities fees for a maximum of two years for those
17 recipients of the Washington award for vocational excellence
18 established under RCW 28C.04.520 through 28C.04.540 who received their
19 awards before June 30, 1994. Each recipient shall not receive a
20 waiver for more than six quarters or four semesters. To qualify for
21 the waiver, recipients shall enter the college or university within
22 three years of receiving the award. A minimum grade point average at
23 the college or university equivalent to 3.00, or an above-average
24 rating at a technical college, shall be required in the first year to
25 qualify for the second-year waiver. The tuition waiver shall be
26 granted for undergraduate studies only.

27 (2) Students named by the work force training and education
28 coordinating board after June 30, 1994, as recipients of the Washington
29 award for vocational excellence under RCW 28C.04.520 through 28C.04.550
30 shall be eligible to receive a grant for undergraduate course work as
31 authorized under RCW 28B.80.272 (as recodified by this act).

32 **Sec. 51.** RCW 28B.15.910 and 2000 c 152 s 3 are each amended to
33 read as follows:

34 (1) For the purpose of providing state general fund support to
35 public institutions of higher education, except for revenue waived
36 under programs listed in subsections (3) and (4) of this section, and
37 unless otherwise expressly provided in the omnibus state appropriations

1 act, the total amount of operating fees revenue waived, exempted, or
2 reduced by a state university, a regional university, The Evergreen
3 State College, or the community colleges as a whole, shall not exceed
4 the percentage of total gross authorized operating fees revenue in this
5 subsection. As used in this section, "gross authorized operating fees
6 revenue" means the estimated gross operating fees revenue as estimated
7 under RCW 82.33.020 or as revised by the office of financial
8 management, before granting any waivers. This limitation applies to
9 all tuition waiver programs established before or after July 1, 1992.

- | | | |
|----|-----------------------------------|------------|
| 10 | (a) University of Washington | 21 percent |
| 11 | (b) Washington State University | 20 percent |
| 12 | (c) Eastern Washington University | 11 percent |
| 13 | (d) Central Washington University | 8 percent |
| 14 | (e) Western Washington University | 10 percent |
| 15 | (f) The Evergreen State College | 6 percent |
| 16 | (g) Community colleges as a whole | 35 percent |

17 (2) The limitations in subsection (1) of this section apply to
18 waivers, exemptions, or reductions in operating fees contained in the
19 following:

- 20 (a) RCW 28B.10.265;
- 21 (b) RCW 28B.15.014;
- 22 (c) RCW 28B.15.100;
- 23 (d) RCW 28B.15.225;
- 24 (e) RCW 28B.15.380;
- 25 (f) RCW 28B.15.520;
- 26 (g) RCW 28B.15.526;
- 27 (h) RCW 28B.15.527;
- 28 (i) RCW 28B.15.543;
- 29 (j) RCW 28B.15.545;
- 30 (k) RCW 28B.15.555;
- 31 (l) RCW 28B.15.556;
- 32 (m) RCW 28B.15.615;
- 33 (n) RCW 28B.15.620;
- 34 (o) RCW 28B.15.628;
- 35 (p) RCW 28B.15.730;
- 36 (q) RCW 28B.15.740;
- 37 (r) RCW 28B.15.750;
- 38 (s) RCW 28B.15.756;
- 39 (t) RCW 28B.50.259;

1 (u) RCW 28B.70.050; and
2 (v) (~~RCW 28B.80.580; and~~
3 ~~(w)~~) During the 1997-99 fiscal biennium, the western interstate
4 commission for higher education undergraduate exchange program for
5 students attending Eastern Washington University.

6 (3) The limitations in subsection (1) of this section do not apply
7 to waivers, exemptions, or reductions in services and activities fees
8 contained in the following:

- 9 (a) RCW 28B.15.522;
- 10 (b) RCW 28B.15.540; and
- 11 (c) RCW 28B.15.558.

12 (4) The total amount of operating fees revenue waived, exempted, or
13 reduced by institutions of higher education participating in the
14 western interstate commission for higher education western
15 undergraduate exchange program under RCW 28B.15.544 shall not exceed
16 the percentage of total gross authorized operating fees revenue in this
17 subsection.

- 18 (a) Washington State University 1 percent
- 19 (b) Eastern Washington University 3 percent
- 20 (c) Central Washington University 3 percent

21 **Sec. 52.** RCW 28B.20.130 and 1998 c 245 s 16 are each amended to
22 read as follows:

23 General powers and duties of the board of regents are as follows:

24 (1) To have full control of the university and its property of
25 various kinds, except as otherwise provided by law.

26 (2) To employ the president of the university, his or her
27 assistants, members of the faculty, and employees of the institution,
28 who except as otherwise provided by law, shall hold their positions
29 during the pleasure of said board of regents.

30 (3) Establish entrance requirements for students seeking admission
31 to the university which meet or exceed the standards specified under
32 RCW 28B.80.350(2) (as recodified by this act). Completion of
33 examinations satisfactory to the university may be a prerequisite for
34 entrance by any applicant at the university's discretion. Evidence of
35 completion of public high schools and other educational institutions
36 whose courses of study meet the approval of the university may be
37 acceptable for entrance.

1 (4) Establish such colleges, schools, or departments necessary to
2 carry out the purpose of the university and not otherwise proscribed by
3 law.

4 (5) With the assistance of the faculty of the university, prescribe
5 the course of study in the various colleges, schools, and departments
6 of the institution and publish the necessary catalogues thereof.

7 (6) Grant to students such certificates or degrees as recommended
8 for such students by the faculty. The board, upon recommendation of
9 the faculty, may also confer honorary degrees upon persons other than
10 graduates of this university in recognition of their learning or
11 devotion to literature, art, or science: PROVIDED, That no degree
12 shall ever be conferred in consideration of the payment of money or the
13 giving of property of whatsoever kind.

14 (7) Accept such gifts, grants, conveyances, bequests, and devises,
15 whether real or personal property, or both, in trust or otherwise, for
16 the use or benefit of the university, its colleges, schools,
17 departments, or agencies; and sell, lease or exchange, invest or expend
18 the same or the proceeds, rents, profits, and income thereof except as
19 limited by the terms of said gifts, grants, conveyances, bequests, and
20 devises. The board shall adopt proper rules to govern and protect the
21 receipt and expenditure of the proceeds of all fees, and the proceeds,
22 rents, profits, and income of all gifts, grants, conveyances, bequests,
23 and devises above-mentioned.

24 (8) Except as otherwise provided by law, to enter into such
25 contracts as the regents deem essential to university purposes.

26 (9) To submit upon request such reports as will be helpful to the
27 governor and to the legislature in providing for the institution.

28 (10) Subject to the approval of the higher education coordinating
29 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new
30 degree programs, offer off-campus programs, participate in consortia or
31 centers, contract for off-campus educational programs, and purchase or
32 lease major off-campus facilities.

33 **Sec. 53.** RCW 28B.30.150 and 1998 c 245 s 19 are each amended to
34 read as follows:

35 The regents of Washington State University, in addition to other
36 duties prescribed by law, shall:

37 (1) Have full control of the university and its property of various
38 kinds, except as otherwise provided by law.

1 (2) Employ the president of the university, his or her assistants,
2 members of the faculty, and employees of the university, who, except as
3 otherwise provided by law, shall hold their positions during the
4 pleasure of said board of regents.

5 (3) Establish entrance requirements for students seeking admission
6 to the university which meet or exceed the standards specified under
7 RCW 28B.80.350(2) (as recodified by this act). Completion of
8 examinations satisfactory to the university may be a prerequisite for
9 entrance by any applicant, at the university's discretion. Evidence of
10 completion of public high schools and other educational institutions
11 whose courses of study meet the approval of the university may be
12 acceptable for entrance.

13 (4) Establish such colleges, schools, or departments necessary to
14 carry out the purpose of the university and not otherwise proscribed by
15 law.

16 (5) Subject to the approval of the higher education coordinating
17 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new
18 degree programs, offer off-campus programs, participate in consortia or
19 centers, contract for off-campus educational programs, and purchase or
20 lease major off-campus facilities.

21 (6) With the assistance of the faculty of the university, prescribe
22 the courses of instruction in the various colleges, schools, and
23 departments of the institution and publish the necessary catalogues
24 thereof.

25 (7) Collect such information as the board deems desirable as to the
26 schemes of technical instruction adopted in other parts of the United
27 States and foreign countries.

28 (8) Provide for holding agricultural institutes including farm
29 marketing forums.

30 (9) Provide that instruction given in the university, as far as
31 practicable, be conveyed by means of laboratory work and provide in
32 connection with the university one or more physical, chemical, and
33 biological laboratories, and suitably furnish and equip the same.

34 (10) Provide training in military tactics for those students
35 electing to participate therein.

36 (11) Establish a department of elementary science and in connection
37 therewith provide instruction in elementary mathematics, including
38 elementary trigonometry, elementary mechanics, elementary and
39 mechanical drawing, and land surveying.

1 (12) Establish a department of agriculture and in connection
2 therewith provide instruction in physics with special application of
3 its principles to agriculture, chemistry with special application of
4 its principles to agriculture, morphology and physiology of plants with
5 special reference to common grown crops and fungus enemies, morphology
6 and physiology of the lower forms of animal life, with special
7 reference to insect pests, morphology and physiology of the higher
8 forms of animal life and in particular of the horse, cow, sheep, and
9 swine, agriculture with special reference to the breeding and feeding
10 of livestock and the best mode of cultivation of farm produce, and
11 mining and metallurgy, appointing demonstrators in each of these
12 subjects to superintend the equipment of a laboratory and to give
13 practical instruction therein.

14 (13) Establish agricultural experiment stations in connection with
15 the department of agriculture, including at least one in the western
16 portion of the state, and appoint the officers and prescribe
17 regulations for their management.

18 (14) Grant to students such certificates or degrees, as recommended
19 for such students by the faculty.

20 (15) Confer honorary degrees upon persons other than graduates of
21 the university in recognition of their learning or devotion to
22 literature, art, or science when recommended thereto by the faculty:
23 PROVIDED, That no degree shall ever be conferred in consideration of
24 the payment of money or the giving of property of whatsoever kind.

25 (16) Adopt plans and specifications for university buildings and
26 facilities or improvements thereto and employ skilled architects and
27 engineers to prepare such plans and specifications and supervise the
28 construction of buildings or facilities which the board is authorized
29 to erect, and fix the compensation for such services. The board shall
30 enter into contracts with one or more contractors for such suitable
31 buildings, facilities, or improvements as the available funds will
32 warrant, upon the most advantageous terms offered at a public
33 competitive letting, pursuant to public notice under rules established
34 by the board. The board shall require of all persons with whom they
35 contract for construction and improvements a good and sufficient bond
36 for the faithful performance of the work and full protection against
37 all liens.

38 (17) Except as otherwise provided by law, direct the disposition of
39 all money appropriated to or belonging to the state university.

1 (18) Receive and expend the money appropriated under the act of
2 congress approved May 8, 1914, entitled "An Act to provide for
3 cooperative agricultural extension work between the agricultural
4 colleges in the several States receiving the benefits of the Act of
5 Congress approved July 2, 1862, and Acts supplemental thereto and the
6 United States Department of Agriculture" and organize and conduct
7 agricultural extension work in connection with the state university in
8 accordance with the terms and conditions expressed in the acts of
9 congress.

10 (19) Except as otherwise provided by law, to enter into such
11 contracts as the regents deem essential to university purposes.

12 (20) Acquire by lease, gift, or otherwise, lands necessary to
13 further the work of the university or for experimental or
14 demonstrational purposes.

15 (21) Establish and maintain at least one agricultural experiment
16 station in an irrigation district to conduct investigational work upon
17 the principles and practices of irrigational agriculture including the
18 utilization of water and its relation to soil types, crops, climatic
19 conditions, ditch and drain construction, fertility investigations,
20 plant disease, insect pests, marketing, farm management, utilization of
21 fruit byproducts, and general development of agriculture under
22 irrigation conditions.

23 (22) Supervise and control the agricultural experiment station at
24 Puyallup.

25 (23) Establish and maintain at Wenatchee an agricultural experiment
26 substation for the purpose of conducting investigational work upon the
27 principles and practices of orchard culture, spraying, fertilization,
28 pollenization, new fruit varieties, fruit diseases and pests,
29 byproducts, marketing, management, and general horticultural problems.

30 (24) Accept such gifts, grants, conveyances, devises, and bequests,
31 whether real or personal property, in trust or otherwise, for the use
32 or benefit of the university, its colleges, schools, or departments;
33 and sell, lease or exchange, invest or expend the same or the proceeds,
34 rents, profits, and income thereof except as limited by the terms of
35 said gifts, grants, conveyances, bequests, and devises; and adopt
36 proper rules to govern and protect the receipt and expenditure of the
37 proceeds of all fees, and the proceeds, rents, profits, and income of
38 all gifts, grants, conveyances, bequests, and devises.

1 (25) Construct when the board so determines a new foundry and a
2 mining, physical, technological building, and fabrication shop at the
3 university, or add to the present foundry and other buildings, in order
4 that both instruction and research be expanded to include permanent
5 molding and die casting with a section for new fabricating techniques,
6 especially for light metals, including magnesium and aluminum; purchase
7 equipment for the shops and laboratories in mechanical, electrical, and
8 civil engineering; establish a pilot plant for the extraction of
9 alumina from native clays and other possible light metal research;
10 purchase equipment for a research laboratory for technological research
11 generally; and purchase equipment for research in electronics,
12 instrumentation, energy sources, plastics, food technology, mechanics
13 of materials, hydraulics, and similar fields.

14 (26) Make and transmit to the governor and members of the
15 legislature upon request such reports as will be helpful in providing
16 for the institution.

17 **Sec. 54.** RCW 28B.35.120 and 1985 c 370 s 94 are each amended to
18 read as follows:

19 In addition to any other powers and duties prescribed by law, each
20 board of trustees of the respective regional universities:

21 (1) Shall have full control of the regional university and its
22 property of various kinds, except as otherwise provided by law.

23 (2) Shall employ the president of the regional university, his
24 assistants, members of the faculty, and other employees of the
25 institution, who, except as otherwise provided by law, shall hold their
26 positions, until discharged therefrom by the board for good and lawful
27 reason.

28 (3) With the assistance of the faculty of the regional university,
29 shall prescribe the course of study in the various schools and
30 departments thereof and publish such catalogues thereof as the board
31 deems necessary: PROVIDED, That the state board of education shall
32 determine the requisites for and give program approval of all courses
33 leading to teacher certification by such board.

34 (4) Establish such divisions, schools or departments necessary to
35 carry out the purposes of the regional university and not otherwise
36 proscribed by law.

37 (5) Except as otherwise provided by law, may establish and erect

1 such new facilities as determined by the board to be necessary for the
2 regional university.

3 (6) May acquire real and other property as provided in RCW
4 28B.10.020, as now or hereafter amended.

5 (7) Except as otherwise provided by law, may purchase all supplies
6 and purchase or lease equipment and other personal property needed for
7 the operation or maintenance of the regional university.

8 (8) May establish, lease, operate, equip and maintain self-
9 supporting facilities in the manner provided in RCW 28B.10.300 through
10 28B.10.330, as now or hereafter amended.

11 (9) Except as otherwise provided by law, to enter into such
12 contracts as the trustees deem essential to regional university
13 purposes.

14 (10) May receive such gifts, grants, conveyances, devises and
15 bequests of real or personal property from whatsoever source, as may be
16 made from time to time, in trust or otherwise, whenever the terms and
17 conditions thereof will aid in carrying out the regional university
18 programs; sell, lease or exchange, invest or expend the same or the
19 proceeds, rents, profits and income thereof except as limited by the
20 terms and conditions thereof; and adopt regulations to govern the
21 receipt and expenditure of the proceeds, rents, profits and income
22 thereof.

23 (11) Subject to the approval of the higher education coordinating
24 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new
25 degree programs, offer off-campus programs, participate in consortia or
26 centers, contract for off-campus educational programs, and purchase or
27 lease major off-campus facilities.

28 (12) May promulgate such rules and regulations, and perform all
29 other acts not forbidden by law, as the board of trustees may in its
30 discretion deem necessary or appropriate to the administration of the
31 regional university.

32 **Sec. 55.** RCW 28B.38.010 and 1998 c 344 s 9 are each amended to
33 read as follows:

34 (1) The Spokane intercollegiate research and technology institute
35 is created.

36 (2) The institute shall be operated and administered as a multi-
37 institutional education and research center, housing appropriate
38 programs conducted in Spokane under the authority of institutions of

1 higher education as defined in RCW 28B.10.016. Washington independent
2 and private institutions of higher education may participate as full
3 partners in any academic and research activities of the institute.

4 (3) The institute shall house education and research programs
5 specifically designed to meet the needs of eastern Washington.

6 (4) The establishment of any education program at the institute and
7 the lease, purchase, or construction of any site or facility for the
8 institute is subject to the approval of the higher education
9 coordinating board under (~~RCW 28B.80.340~~) section 9 of this act.

10 (5) The institute shall be headquartered in Spokane.

11 (6) The mission of the institute is to perform and commercialize
12 research that benefits the intermediate and long-term economic vitality
13 of eastern Washington and to develop and strengthen university-industry
14 relationships through the conduct of research that is primarily of
15 interest to eastern Washington-based companies or state economic
16 development programs. The institute shall:

17 (a) Perform and facilitate research supportive of state science and
18 technology objectives, particularly as they relate to eastern
19 Washington industries;

20 (b) Provide leading edge collaborative research and technology
21 transfer opportunities primarily to eastern Washington industries;

22 (c) Provide substantial opportunities for training undergraduate
23 and graduate students through direct involvement in research and
24 industry interactions;

25 (d) Emphasize and develop nonstate support of the institute's
26 research activities; and

27 (e) Provide a forum for effective interaction between the state's
28 technology-based industries and its academic institutions through
29 promotion of faculty collaboration with industry, particularly within
30 eastern Washington.

31 **Sec. 56.** RCW 28B.40.120 and 1985 c 370 s 95 are each amended to
32 read as follows:

33 In addition to any other powers and duties prescribed by law, the
34 board of trustees of The Evergreen State College:

35 (1) Shall have full control of the state college and its property
36 of various kinds, except as otherwise provided by law.

37 (2) Shall employ the president of the state college, his
38 assistants, members of the faculty, and other employees of the

1 institution, who, except as otherwise provided by law, shall hold their
2 positions, until discharged therefrom by the board for good and lawful
3 reason.

4 (3) With the assistance of the faculty of the state college, shall
5 prescribe the course of study in the various schools and departments
6 thereof and publish such catalogues thereof as the board deems
7 necessary: PROVIDED, That the state board of education shall determine
8 the requisites for and give program approval of all courses leading to
9 teacher certification by such board.

10 (4) Establish such divisions, schools or departments necessary to
11 carry out the purposes of the college and not otherwise proscribed by
12 law.

13 (5) Except as otherwise provided by law, may establish and erect
14 such new facilities as determined by the board to be necessary for the
15 college.

16 (6) May acquire real and other property as provided in RCW
17 28B.10.020, as now or hereafter amended.

18 (7) Except as otherwise provided by law, may purchase all supplies
19 and purchase or lease equipment and other personal property needed for
20 the operation or maintenance of the college.

21 (8) May establish, lease, operate, equip and maintain self-
22 supporting facilities in the manner provided in RCW 28B.10.300 through
23 28B.10.330, as now or hereafter amended.

24 (9) Except as otherwise provided by law, to enter into such
25 contracts as the trustees deem essential to college purposes.

26 (10) May receive such gifts, grants, conveyances, devises and
27 bequests of real or personal property from whatsoever source, as may be
28 made from time to time, in trust or otherwise, whenever the terms and
29 conditions thereof will aid in carrying out the college programs; sell,
30 lease or exchange, invest or expend the same or the proceeds, rents,
31 profits and income thereof except as limited by the terms and
32 conditions thereof; and adopt regulations to govern the receipt and
33 expenditure of the proceeds, rents, profits and income thereof.

34 (11) Subject to the approval of the higher education coordinating
35 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new
36 degree programs, offer off-campus programs, participate in consortia or
37 centers, contract for off-campus educational programs, and purchase or
38 lease major off-campus facilities.

1 (12) May promulgate such rules and regulations, and perform all
2 other acts not forbidden by law, as the board of trustees may in its
3 discretion deem necessary or appropriate to the administration of the
4 college.

5 **Sec. 57.** RCW 28B.50.090 and 2003 c 130 s 6 are each amended to
6 read as follows:

7 The college board shall have general supervision and control over
8 the state system of community and technical colleges. In addition to
9 the other powers and duties imposed upon the college board by this
10 chapter, the college board shall be charged with the following powers,
11 duties and responsibilities:

12 (1) Review the budgets prepared by the boards of trustees, prepare
13 a single budget for the support of the state system of community and
14 technical colleges and adult education, and submit this budget to the
15 governor as provided in RCW 43.88.090;

16 (2) Establish guidelines for the disbursement of funds; and receive
17 and disburse such funds for adult education and maintenance and
18 operation and capital support of the college districts in conformance
19 with the state and district budgets, and in conformance with chapter
20 43.88 RCW;

21 (3) Ensure, through the full use of its authority:

22 (a) That each college district shall offer thoroughly comprehensive
23 educational, training and service programs to meet the needs of both
24 the communities and students served by combining high standards of
25 excellence in academic transfer courses; realistic and practical
26 courses in occupational education, both graded and ungraded; and
27 community services of an educational, cultural, and recreational
28 nature; and adult education, including basic skills and general,
29 family, and work force literacy programs and services. However,
30 technical colleges, and college districts containing only technical
31 colleges, shall maintain programs solely for occupational education,
32 basic skills, and literacy purposes. For as long as a need exists,
33 technical colleges may continue those programs, activities, and
34 services they offered during the twelve-month period preceding May 17,
35 1991;

36 (b) That each college district shall maintain an open-door policy,
37 to the end that no student will be denied admission because of the
38 location of the student's residence or because of the student's

1 educational background or ability; that, insofar as is practical in the
2 judgment of the college board, curriculum offerings will be provided to
3 meet the educational and training needs of the community generally and
4 the students thereof; and that all students, regardless of their
5 differing courses of study, will be considered, known and recognized
6 equally as members of the student body: PROVIDED, That the
7 administrative officers of a community or technical college may deny
8 admission to a prospective student or attendance to an enrolled student
9 if, in their judgment, the student would not be competent to profit
10 from the curriculum offerings of the college, or would, by his or her
11 presence or conduct, create a disruptive atmosphere within the college
12 not consistent with the purposes of the institution. This subsection
13 (3)(b) shall not apply to competency, conduct, or presence associated
14 with a disability in a person twenty-one years of age or younger
15 attending a technical college;

16 (4) Prepare a comprehensive master plan for the development of
17 community and technical college education and training in the state;
18 and assist the office of financial management in the preparation of
19 enrollment projections to support plans for providing adequate college
20 facilities in all areas of the state. The master plan shall include
21 implementation of the vision, goals, priorities, and strategies in the
22 statewide strategic master plan for higher education under RCW
23 28B.80.345 (as recodified by this act) based on the community and
24 technical college system's role and mission. The master plan shall
25 also contain measurable performance indicators and benchmarks for
26 gauging progress toward achieving the goals and priorities;

27 (5) Define and administer criteria and guidelines for the
28 establishment of new community and technical colleges or campuses
29 within the existing districts;

30 (6) Establish criteria and procedures for modifying district
31 boundary lines consistent with the purposes set forth in RCW 28B.50.020
32 as now or hereafter amended and in accordance therewith make such
33 changes as it deems advisable;

34 (7) Establish minimum standards to govern the operation of the
35 community and technical colleges with respect to:

36 (a) Qualifications and credentials of instructional and key
37 administrative personnel, except as otherwise provided in the state
38 plan for vocational education,

1 (b) Internal budgeting, accounting, auditing, and financial
2 procedures as necessary to supplement the general requirements
3 prescribed pursuant to chapter 43.88 RCW,
4 (c) The content of the curriculums and other educational and
5 training programs, and the requirement for degrees and certificates
6 awarded by the colleges,
7 (d) Standard admission policies,
8 (e) Eligibility of courses to receive state fund support;
9 (8) Establish and administer criteria and procedures for all
10 capital construction including the establishment, installation, and
11 expansion of facilities within the various college districts;
12 (9) Encourage innovation in the development of new educational and
13 training programs and instructional methods; coordinate research
14 efforts to this end; and disseminate the findings thereof;
15 (10) Exercise any other powers, duties and responsibilities
16 necessary to carry out the purposes of this chapter;
17 (11) Authorize the various community and technical colleges to
18 offer programs and courses in other districts when it determines that
19 such action is consistent with the purposes set forth in RCW 28B.50.020
20 as now or hereafter amended;
21 (12) Notwithstanding any other law or statute regarding the sale of
22 state property, sell or exchange and convey any or all interest in any
23 community and technical college real and personal property, except such
24 property as is received by a college district in accordance with RCW
25 28B.50.140(8), when it determines that such property is surplus or that
26 such a sale or exchange is in the best interests of the community and
27 technical college system;
28 (13) In order that the treasurer for the state board for community
29 and technical colleges appointed in accordance with RCW 28B.50.085 may
30 make vendor payments, the state treasurer will honor warrants drawn by
31 the state board providing for an initial advance on July 1, 1982, of
32 the current biennium and on July 1 of each succeeding biennium from the
33 state general fund in an amount equal to twenty-four percent of the
34 average monthly allotment for such budgeted biennium expenditures for
35 the state board for community and technical colleges as certified by
36 the office of financial management; and at the conclusion of such
37 initial month and for each succeeding month of any biennium, the state
38 treasurer will reimburse expenditures incurred and reported monthly by
39 the state board treasurer in accordance with chapter 43.88 RCW:

1 PROVIDED, That the reimbursement to the state board for actual
2 expenditures incurred in the final month of each biennium shall be less
3 the initial advance made in such biennium;

4 (14) Notwithstanding the provisions of subsection (12) of this
5 section, may receive such gifts, grants, conveyances, devises, and
6 bequests of real or personal property from private sources as may be
7 made from time to time, in trust or otherwise, whenever the terms and
8 conditions thereof will aid in carrying out the community and technical
9 college programs and may sell, lease or exchange, invest or expend the
10 same or the proceeds, rents, profits and income thereof according to
11 the terms and conditions thereof; and adopt regulations to govern the
12 receipt and expenditure of the proceeds, rents, profits and income
13 thereof;

14 (15) The college board shall have the power of eminent domain;

15 (16) Provide general supervision over the state's technical
16 colleges. The president of each technical college shall report
17 directly to the director of the state board for community and technical
18 colleges, or the director's designee, until local control is assumed by
19 a new or existing board of trustees as appropriate, except that a
20 college president shall have authority over program decisions of his or
21 her college until the establishment of a board of trustees for that
22 college. The directors of the vocational-technical institutes on March
23 1, 1991, shall be designated as the presidents of the new technical
24 colleges.

25 **Sec. 58.** RCW 28B.50.140 and 1997 c 281 s 1 are each amended to
26 read as follows:

27 Each board of trustees:

28 (1) Shall operate all existing community and technical colleges in
29 its district;

30 (2) Shall create comprehensive programs of community and technical
31 college education and training and maintain an open-door policy in
32 accordance with the provisions of RCW 28B.50.090(3). However,
33 technical colleges, and college districts containing only technical
34 colleges, shall maintain programs solely for occupational education,
35 basic skills, and literacy purposes. For as long as a need exists,
36 technical colleges may continue those programs, activities, and
37 services they offered during the twelve-month period preceding
38 September 1, 1991;

1 (3) Shall employ for a period to be fixed by the board a college
2 president for each community and technical college and, may appoint a
3 president for the district, and fix their duties and compensation,
4 which may include elements other than salary. Compensation under this
5 subsection shall not affect but may supplement retirement, health care,
6 and other benefits that are otherwise applicable to the presidents as
7 state employees. The board shall also employ for a period to be fixed
8 by the board members of the faculty and such other administrative
9 officers and other employees as may be necessary or appropriate and fix
10 their salaries and duties. Compensation and salary increases under
11 this subsection shall not exceed the amount or percentage established
12 for those purposes in the state appropriations act by the legislature
13 as allocated to the board of trustees by the state board for community
14 and technical colleges. The state board for community and technical
15 colleges shall adopt rules defining the permissible elements of
16 compensation under this subsection;

17 (4) May establish, under the approval and direction of the college
18 board, new facilities as community needs and interests demand.
19 However, the authority of boards of trustees to purchase or lease major
20 off-campus facilities shall be subject to the approval of the higher
21 education coordinating board pursuant to ((~~RCW 28B.80.340(5)~~)) section
22 9 of this act;

23 (5) May establish or lease, operate, equip and maintain
24 dormitories, food service facilities, bookstores and other self-
25 supporting facilities connected with the operation of the community and
26 technical college;

27 (6) May, with the approval of the college board, borrow money and
28 issue and sell revenue bonds or other evidences of indebtedness for the
29 construction, reconstruction, erection, equipping with permanent
30 fixtures, demolition and major alteration of buildings or other capital
31 assets, and the acquisition of sites, rights-of-way, easements,
32 improvements or appurtenances, for dormitories, food service
33 facilities, and other self-supporting facilities connected with the
34 operation of the community and technical college in accordance with the
35 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

36 (7) May establish fees and charges for the facilities authorized
37 hereunder, including reasonable rules and regulations for the
38 government thereof, not inconsistent with the rules and regulations of
39 the college board; each board of trustees operating a community and

1 technical college may enter into agreements, subject to rules and
2 regulations of the college board, with owners of facilities to be used
3 for housing regarding the management, operation, and government of such
4 facilities, and any board entering into such an agreement may:

5 (a) Make rules and regulations for the government, management and
6 operation of such housing facilities deemed necessary or advisable; and

7 (b) Employ necessary employees to govern, manage and operate the
8 same;

9 (8) May receive such gifts, grants, conveyances, devises and
10 bequests of real or personal property from private sources, as may be
11 made from time to time, in trust or otherwise, whenever the terms and
12 conditions thereof will aid in carrying out the community and technical
13 college programs as specified by law and the regulations of the state
14 college board; sell, lease or exchange, invest or expend the same or
15 the proceeds, rents, profits and income thereof according to the terms
16 and conditions thereof; and adopt regulations to govern the receipt and
17 expenditure of the proceeds, rents, profits and income thereof;

18 (9) May establish and maintain night schools whenever in the
19 discretion of the board of trustees it is deemed advisable, and
20 authorize classrooms and other facilities to be used for summer or
21 night schools, or for public meetings and for any other uses consistent
22 with the use of such classrooms or facilities for community and
23 technical college purposes;

24 (10) May make rules and regulations for pedestrian and vehicular
25 traffic on property owned, operated, or maintained by the district;

26 (11) Shall prescribe, with the assistance of the faculty, the
27 course of study in the various departments of the community and
28 technical college or colleges under its control, and publish such
29 catalogues and bulletins as may become necessary;

30 (12) May grant to every student, upon graduation or completion of
31 a course of study, a suitable diploma, nonbaccalaureate degree or
32 certificate. Technical colleges shall offer only nonbaccalaureate
33 technical degrees under the rules of the state board for community and
34 technical colleges that are appropriate to their work force education
35 and training mission. The primary purpose of this degree is to lead
36 the individual directly to employment in a specific occupation.
37 Technical colleges may not offer transfer degrees. The board, upon
38 recommendation of the faculty, may also confer honorary associate of
39 arts degrees upon persons other than graduates of the community

1 college, in recognition of their learning or devotion to education,
2 literature, art, or science. No degree may be conferred in
3 consideration of the payment of money or the donation of any kind of
4 property;

5 (13) Shall enforce the rules and regulations prescribed by the
6 state board for community and technical colleges for the government of
7 community and technical colleges, students and teachers, and promulgate
8 such rules and regulations and perform all other acts not inconsistent
9 with law or rules and regulations of the state board for community and
10 technical colleges as the board of trustees may in its discretion deem
11 necessary or appropriate to the administration of college districts:
12 PROVIDED, That such rules and regulations shall include, but not be
13 limited to, rules and regulations relating to housing, scholarships,
14 conduct at the various community and technical college facilities, and
15 discipline: PROVIDED, FURTHER, That the board of trustees may suspend
16 or expel from community and technical colleges students who refuse to
17 obey any of the duly promulgated rules and regulations;

18 (14) May, by written order filed in its office, delegate to the
19 president or district president any of the powers and duties vested in
20 or imposed upon it by this chapter. Such delegated powers and duties
21 may be exercised in the name of the district board;

22 (15) May perform such other activities consistent with this chapter
23 and not in conflict with the directives of the college board;

24 (16) Notwithstanding any other provision of law, may offer
25 educational services on a contractual basis other than the tuition and
26 fee basis set forth in chapter 28B.15 RCW for a special fee to private
27 or governmental entities, consistent with rules and regulations adopted
28 by the state board for community and technical colleges: PROVIDED,
29 That the whole of such special fee shall go to the college district and
30 be not less than the full instructional costs of such services
31 including any salary increases authorized by the legislature for
32 community and technical college employees during the term of the
33 agreement: PROVIDED FURTHER, That enrollments generated hereunder
34 shall not be counted toward the official enrollment level of the
35 college district for state funding purposes;

36 (17) Notwithstanding any other provision of law, may offer
37 educational services on a contractual basis, charging tuition and fees
38 as set forth in chapter 28B.15 RCW, counting such enrollments for state
39 funding purposes, and may additionally charge a special supplemental

1 fee when necessary to cover the full instructional costs of such
2 services: PROVIDED, That such contracts shall be subject to review by
3 the state board for community and technical colleges and to such rules
4 as the state board may adopt for that purpose in order to assure that
5 the sum of the supplemental fee and the normal state funding shall not
6 exceed the projected total cost of offering the educational service:
7 PROVIDED FURTHER, That enrollments generated by courses offered on the
8 basis of contracts requiring payment of a share of the normal costs of
9 the course will be discounted to the percentage provided by the
10 college;

11 (18) Shall be authorized to pay dues to any association of trustees
12 that may be formed by the various boards of trustees; such association
13 may expend any or all of such funds to submit biennially, or more often
14 if necessary, to the governor and to the legislature, the
15 recommendations of the association regarding changes which would affect
16 the efficiency of such association;

17 (19) (~~Subject to the approval of the higher education coordinating~~
18 ~~board pursuant to RCW 28B.80.340(4),~~) May participate in higher
19 education centers and consortia that involve any four-year public or
20 independent college or university: PROVIDED, That new degree programs
21 or off-campus programs offered by a four-year public or independent
22 college or university in collaboration with a community or technical
23 college are subject to approval by the higher education coordinating
24 board under section 9 of this act; and

25 (20) Shall perform any other duties and responsibilities imposed by
26 law or rule and regulation of the state board.

27 **Sec. 59.** RCW 28B.95.020 and 2001 c 184 s 1 are each amended to
28 read as follows:

29 The definitions in this section apply throughout this chapter,
30 unless the context clearly requires otherwise.

31 (1) "Academic year" means the regular nine-month, three-quarter, or
32 two-semester period annually occurring between July 1st and June 30th.

33 (2) "Account" means the Washington advanced college tuition payment
34 program account established for the deposit of all money received by
35 the board from eligible purchasers and interest earnings on investments
36 of funds in the account, as well as for all expenditures on behalf of
37 eligible beneficiaries for the redemption of tuition units and for the

1 development of any authorized college savings program pursuant to RCW
2 28B.95.150.

3 (3) "Board" means the higher education coordinating board as
4 defined in chapter ((28B.80)) 28B.-- RCW (as created in section 76 of
5 this act).

6 (4) "Committee on advanced tuition payment" or "committee" means a
7 committee of the following members: The state treasurer, the director
8 of the office of financial management, the executive director of the
9 higher education coordinating board, or their designees, and two
10 members to be appointed by the governor, one representing program
11 participants and one private business representative with marketing,
12 public relations, or financial expertise.

13 (5) "Governing body" means the committee empowered by the
14 legislature to administer the Washington advanced college tuition
15 payment program.

16 (6) "Contractual obligation" means a legally binding contract of
17 the state with the purchaser and the beneficiary establishing that
18 purchases of tuition units will be worth the same number of tuition
19 units at the time of redemption as they were worth at the time of the
20 purchase.

21 (7) "Eligible beneficiary" means the person for whom the tuition
22 unit will be redeemed for attendance at an institution of higher
23 education. The beneficiary is that person named by the purchaser at
24 the time that a tuition unit contract is accepted by the governing
25 body. With the exception of tuition unit contracts purchased by
26 qualified organizations as future scholarships, the beneficiary must
27 reside in the state of Washington or otherwise be a resident of the
28 state of Washington at the time the tuition unit contract is accepted
29 by the governing body.

30 (8) "Eligible purchaser" means an individual or organization that
31 has entered into a tuition unit contract with the governing body for
32 the purchase of tuition units for an eligible beneficiary.

33 (9) "Full-time tuition charges" means resident tuition charges at
34 a state institution of higher education for enrollments between ten
35 credits and eighteen credit hours per academic term.

36 (10) "Institution of higher education" means an institution that
37 offers education beyond the secondary level and is recognized by the
38 internal revenue service under chapter 529 of the internal revenue
39 code.

1 (11) "Investment board" means the state investment board as defined
2 in chapter 43.33A RCW.

3 (12) "State institution of higher education" means institutions of
4 higher education as defined in RCW 28B.10.016.

5 (13) "Tuition and fees" means undergraduate tuition and services
6 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded
7 to the nearest whole dollar. The maximum tuition and fees charges
8 recognized for beneficiaries enrolled in a state technical college
9 shall be equal to the tuition and fees for the community college
10 system.

11 (14) "Tuition unit contract" means a contract between an eligible
12 purchaser and the governing body, or a successor agency appointed for
13 administration of this chapter, for the purchase of tuition units for
14 a specified beneficiary that may be redeemed at a later date for an
15 equal number of tuition units.

16 (15) "Unit purchase price" means the minimum cost to purchase one
17 tuition unit for an eligible beneficiary. Generally, the minimum
18 purchase price is one percent of the undergraduate weighted average
19 tuition and fees for the current year, rounded to the nearest whole
20 dollar, adjusted for the costs of administration and adjusted to ensure
21 the actuarial soundness of the account. The analysis for price setting
22 shall also include, but not be limited to consideration of past and
23 projected patterns of tuition increases, program liability, past and
24 projected investment returns, and the need for a prudent stabilization
25 reserve.

26 (16) "Weighted average tuition" shall be calculated as the sum of
27 the undergraduate tuition and services and activities fees for each
28 four-year state institution of higher education, multiplied by the
29 respective full-time equivalent student enrollment at each institution
30 divided by the sum total of undergraduate full-time equivalent student
31 enrollments of all four-year state institutions of higher education,
32 rounded to the nearest whole dollar.

33 (17) "Weighted average tuition unit" is the value of the weighted
34 average tuition and fees divided by one hundred. The weighted average
35 is the basis upon which tuition benefits may be calculated as the basis
36 for any refunds provided from the program.

37 **Sec. 60.** RCW 28B.119.010 and 2003 c 233 s 5 are each amended to
38 read as follows:

1 The higher education coordinating board shall design the Washington
2 promise scholarship program based on the following parameters:

3 (1) Scholarships shall be awarded to students graduating from
4 public and approved private high schools under chapter 28A.195 RCW,
5 students participating in home-based instruction as provided in chapter
6 28A.200 RCW, and persons twenty-one years of age or younger receiving
7 a GED certificate, who meet both an academic and a financial
8 eligibility criteria.

9 (a) Academic eligibility criteria shall be defined as follows:

10 (i) Beginning with the graduating class of 2002, students
11 graduating from public and approved private high schools under chapter
12 28A.195 RCW must be in the top fifteen percent of their graduating
13 class, as identified by each respective high school at the completion
14 of the first term of the student's senior year; or

15 (ii) Students graduating from public high schools, approved private
16 high schools under chapter 28A.195 RCW, students participating in home-
17 based instruction as provided in chapter 28A.200 RCW, and persons
18 twenty-one years of age or younger receiving a GED certificate, must
19 equal or exceed a cumulative scholastic assessment test I score of
20 twelve hundred on their first attempt or must equal or exceed a
21 composite American college test score of twenty-seven on their first
22 attempt.

23 (b) To meet the financial eligibility criteria, a student's family
24 income shall not exceed one hundred thirty-five percent of the state
25 median family income adjusted for family size, as determined by the
26 higher education coordinating board for each graduating class.
27 Students not meeting the eligibility requirements for the first year of
28 scholarship benefits may reapply for the second year of benefits, but
29 must still meet the income standard set by the board for the student's
30 graduating class.

31 (2) Promise scholarships are not intended to supplant any grant,
32 scholarship, or tax program related to postsecondary education. If the
33 board finds that promise scholarships supplant or reduce any grant,
34 scholarship, or tax program for categories of students, then the board
35 shall adjust the financial eligibility criteria or the amount of
36 scholarship to the level necessary to avoid supplanting.

37 (3) Within available funds, each qualifying student shall receive
38 two consecutive annual awards, the value of each not to exceed the
39 full-time annual resident tuition rates charged by Washington's

1 community colleges. The higher education coordinating board shall
2 award scholarships to as many students as possible from among those
3 qualifying under this section.

4 (4) By October 15th of each year, the board shall determine the
5 award amount of the scholarships, after taking into consideration the
6 availability of funds.

7 (5) The scholarships may only be used for undergraduate coursework
8 at accredited institutions of higher education in the state of
9 Washington.

10 (6) The scholarships may be used for undergraduate coursework at
11 Oregon institutions of higher education that are part of the border
12 county higher education opportunity project in RCW 28B.80.806 (as
13 recodified by this act) when those institutions offer programs not
14 available at accredited institutions of higher education in Washington
15 state.

16 (7) The scholarships may be used for college-related expenses,
17 including but not limited to, tuition, room and board, books, and
18 materials.

19 (8) The scholarships may not be awarded to any student who is
20 pursuing a degree in theology.

21 (9) The higher education coordinating board may establish
22 satisfactory progress standards for the continued receipt of the
23 promise scholarship.

24 (10) The higher education coordinating board shall establish the
25 time frame within which the student must use the scholarship.

26 **Sec. 61.** RCW 28C.04.545 and 1999 c 28 s 1 are each amended to read
27 as follows:

28 (1) The respective governing boards of the public technical
29 colleges shall provide fee waivers for a maximum of two years for those
30 recipients of the Washington award for vocational excellence
31 established under RCW 28C.04.520 through 28C.04.540 who received the
32 award before June 30, 1994. To qualify for the waiver, recipients
33 shall enter the public technical college within three years of
34 receiving the award. An above average rating at the technical college
35 in the first year shall be required to qualify for the second-year
36 waiver.

37 (2) Students named by the work force training and education
38 coordinating board after June 30, 1994, as recipients of the Washington

1 award for vocational excellence under RCW 28C.04.520 through 28C.04.550
2 shall be eligible to receive a grant for undergraduate course work as
3 authorized under RCW 28B.80.272 (as recodified by this act).

4 (3)(a) Beginning with awards made during the 1998-99 academic year,
5 recipients must complete using the award before the fall term in the
6 sixth year following the date of the award. For these recipients,
7 eligibility for the award is forfeited after this period.

8 (b) All persons awarded a Washington award for vocational
9 excellence before the 1995-96 academic year and who have remaining
10 eligibility on April 19, 1999, must complete using the award before
11 September 2002. For these recipients, eligibility for the award is
12 forfeited after this period.

13 (c) All persons awarded a Washington award for vocational
14 excellence during the 1995-96, 1996-97, and 1997-98 academic years must
15 complete using the award before September 2005. For these recipients,
16 eligibility for the award is forfeited after this period.

17 **Sec. 62.** RCW 43.105.825 and 1999 c 285 s 7 are each amended to
18 read as follows:

19 (1) In overseeing the technical aspects of the K-20 network, the
20 information services board is not intended to duplicate the statutory
21 responsibilities of the higher education coordinating board, the
22 superintendent of public instruction, the information services board,
23 the state librarian, or the governing boards of the institutions of
24 higher education.

25 (2) The board may not interfere in any curriculum or legally
26 offered programming offered over the network.

27 ~~((The coordination of telecommunications planning for
28 institutions of higher education as defined in RCW 28B.10.016 remains
29 the responsibility of the higher education coordinating board under RCW
30 28B.80.600. The board may recommend, but not require, revisions to the
31 higher education coordinating board's telecommunications plan.~~

32 ~~(4))~~ The responsibility to review and approve standards and common
33 specifications for the network remains the responsibility of the
34 information services board under RCW 43.105.041.

35 ~~((5))~~ (4) The coordination of telecommunications planning for the
36 common schools remains the responsibility of the superintendent of
37 public instruction. Except as set forth in RCW 43.105.041(1)(d), the

1 board may recommend, but not require, revisions to the superintendent's
2 telecommunications plans.

3 **Sec. 63.** RCW 43.157.010 and 2003 c 54 s 1 are each amended to read
4 as follows:

5 (1) For purposes of this chapter and RCW 28A.525.166, 28B.80.330
6 (as recodified by this act), 28C.18.080, 43.21A.350, 47.06.030, and
7 90.58.100 and an industrial project of statewide significance is a
8 border crossing project that involves both private and public
9 investments carried out in conjunction with adjacent states or
10 provinces or a private industrial development with private capital
11 investment in manufacturing or research and development. To qualify as
12 an industrial project of statewide significance: (a) The project must
13 be completed after January 1, 1997; (b) the applicant must submit an
14 application for designation as an industrial project of statewide
15 significance to the department of community, trade, and economic
16 development; and (c) the project must have:

17 (i) In counties with a population of less than or equal to twenty
18 thousand, a capital investment of twenty million dollars;

19 (ii) In counties with a population of greater than twenty thousand
20 but no more than fifty thousand, a capital investment of fifty million
21 dollars;

22 (iii) In counties with a population of greater than fifty thousand
23 but no more than one hundred thousand, a capital investment of one
24 hundred million dollars;

25 (iv) In counties with a population of greater than one hundred
26 thousand but no more than two hundred thousand, a capital investment of
27 two hundred million dollars;

28 (v) In counties with a population of greater than two hundred
29 thousand but no more than four hundred thousand, a capital investment
30 of four hundred million dollars;

31 (vi) In counties with a population of greater than four hundred
32 thousand but no more than one million, a capital investment of six
33 hundred million dollars;

34 (vii) In counties with a population of greater than one million, a
35 capital investment of one billion dollars;

36 (viii) In counties with fewer than one hundred persons per square
37 mile as determined annually by the office of financial management and

1 published by the department of revenue effective for the period July
2 1st through June 30th, projected full-time employment positions after
3 completion of construction of fifty or greater;

4 (ix) In counties with one hundred or more persons per square mile
5 as determined annually by the office of financial management and
6 published by the department of revenue effective for the period July
7 1st through June 30th, projected full-time employment positions after
8 completion of construction of one hundred or greater; or

9 (x) Been designated by the director of community, trade, and
10 economic development as an industrial project of statewide significance
11 either: (A) Because the county in which the project is to be located
12 is a distressed county and the economic circumstances of the county
13 merit the additional assistance such designation will bring; or (B)
14 because the impact on a region due to the size and complexity of the
15 project merits such designation.

16 (2) The term manufacturing shall have the meaning assigned it in
17 RCW 82.61.010.

18 (3) The term research and development shall have the meaning
19 assigned it in RCW 82.61.010.

20 (4) The term applicant means a person applying to the department of
21 community, trade, and economic development for designation of a
22 development project as an industrial project of statewide significance.

23 **Sec. 64.** RCW 43.79.465 and 2001 2nd sp.s. c 7 s 917 are each
24 amended to read as follows:

25 The education savings account is created in the state treasury.
26 The account shall consist of all moneys appropriated to the account by
27 the legislature.

28 (1) Ten percent of legislative appropriations to the education
29 savings account shall be distributed as follows: (a) Fifty percent to
30 the distinguished professorship trust fund under RCW 28B.10.868 (as
31 recodified by this act); (b) seventeen percent to the graduate
32 fellowship trust fund under RCW 28B.10.882 (as recodified by this act);
33 and (c) thirty-three percent to the college faculty awards trust fund
34 under RCW 28B.50.837.

35 (2) The remaining moneys in the education savings account may be
36 appropriated solely for (a) common school construction projects that
37 are eligible for funding from the common school construction account,

1 (b) technology improvements in the common schools, and (c) during the
2 2001-03 fiscal biennium, technology improvements in public higher
3 education institutions.

4 **Sec. 65.** RCW 28B.15.760 and 1985 c 370 s 79 are each amended to
5 read as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout RCW 28B.15.762 and 28B.15.764.

8 (1) "Institution of higher education" or "institution" means a
9 college or university in the state of Washington which is a member
10 institution of an accrediting association recognized as such by rule of
11 the higher education coordinating board.

12 (2) "Board" means the higher education coordinating board.

13 (3) "Eligible student" means a student registered for at least ten
14 credit hours or the equivalent and demonstrates achievement of a 3.00
15 grade point average for each academic year, who is a resident student
16 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy
17 student" as defined in RCW 28B.10.802 (as recodified by this act), and
18 who has a declared major in a program leading to a degree in teacher
19 education in a field of science or mathematics, or a certificated
20 teacher who meets the same credit hour and "needy student" requirements
21 and is seeking an additional degree in science or mathematics.

22 (4) "Public school" means a middle school, junior high school, or
23 high school within the public school system referred to in Article IX
24 of the state Constitution.

25 (5) "Forgiven" or "to forgive" means to collect service as a
26 teacher in a field of science or mathematics at a public school in the
27 state of Washington in lieu of monetary payment.

28 (6) "Satisfied" means paid-in-full.

29 (7) "Borrower" means an eligible student who has received a loan
30 under RCW 28B.15.762.

31 **Sec. 66.** RCW 28B.15.820 and 1995 1st sp.s. c 9 s 10 are each
32 amended to read as follows:

33 (1) Each institution of higher education, including technical
34 colleges, shall deposit a minimum of three and one-half percent of
35 revenues collected from tuition and services and activities fees in an
36 institutional financial aid fund that is hereby created and which shall
37 be held locally. Moneys in the fund shall be used only for the

1 following purposes: (a) To make guaranteed long-term loans to eligible
2 students as provided in subsections (3) through (8) of this section;
3 (b) to make short-term loans as provided in subsection (9) of this
4 section; or (c) to provide financial aid to needy students as provided
5 in subsection (10) of this section.

6 (2) An "eligible student" for the purposes of subsections (3)
7 through (8) and (10) of this section is a student registered for at
8 least six credit hours or the equivalent, who is eligible for resident
9 tuition and fee rates as defined in RCW 28B.15.012 (~~(through [and])~~)
10 and 28B.15.013, and who is a "needy student" as defined in RCW
11 28B.10.802 (as recodified by this act).

12 (3) The amount of the guaranteed long-term loans made under this
13 section shall not exceed the demonstrated financial need of the
14 student. Each institution shall establish loan terms and conditions
15 which shall be consistent with the terms of the guaranteed loan program
16 established by 20 U.S. Code Section 1071 et seq., as now or hereafter
17 amended. All loans made shall be guaranteed by the Washington student
18 loan guaranty association or its successor agency. Institutions are
19 hereby granted full authority to operate as an eligible lender under
20 the guaranteed loan program.

21 (4) Before approving a guaranteed long-term loan, each institution
22 shall analyze the ability of the student to repay the loan based on
23 factors which include, but are not limited to, the student's
24 accumulated total education loan burdens and the employment
25 opportunities and average starting salary characteristics of the
26 student's chosen fields of study. The institution shall counsel the
27 student on the advisability of acquiring additional debt, and on the
28 availability of other forms of financial aid.

29 (5) Each institution is responsible for collection of guaranteed
30 long-term loans made under this section and shall exercise due
31 diligence in such collection, maintaining all necessary records to
32 insure that maximum repayments are made. Institutions shall cooperate
33 with other lenders and the Washington student loan guaranty
34 association, or its successor agency, in the coordinated collection of
35 guaranteed loans, and shall assure that the guarantability of the loans
36 is not violated. Collection and servicing of guaranteed long-term
37 loans under this section shall be performed by entities approved for
38 such servicing by the Washington student loan guaranty association or
39 its successor agency: PROVIDED, That institutions be permitted to

1 perform such servicing if specifically recognized to do so by the
2 Washington student loan guaranty association or its successor agency.
3 Collection and servicing of guaranteed long-term loans made by
4 community colleges under subsection (1) of this section shall be
5 coordinated by the state board for community and technical colleges and
6 shall be conducted under procedures adopted by the state board.

7 (6) Receipts from payment of interest or principal or any other
8 subsidies to which institutions as lenders are entitled, that are paid
9 by or on behalf of borrowers of funds under subsections (3) through (8)
10 of this section, shall be deposited in each institution's financial aid
11 fund and shall be used to cover the costs of making the guaranteed
12 long-term loans under this section and maintaining necessary records
13 and making collections under subsection (5) of this section: PROVIDED,
14 That such costs shall not exceed five percent of aggregate outstanding
15 loan principal. Institutions shall maintain accurate records of such
16 costs, and all receipts beyond those necessary to pay such costs, shall
17 be deposited in the institution's financial aid fund.

18 (7) The governing boards of the state universities, the regional
19 universities, and The Evergreen State College, and the state board for
20 community and technical colleges, on behalf of the community colleges
21 and technical colleges, shall each adopt necessary rules and
22 regulations to implement this section.

23 (8) First priority for any guaranteed long-term loans made under
24 this section shall be directed toward students who would not normally
25 have access to educational loans from private financial institutions in
26 Washington state, and maximum use shall be made of secondary markets in
27 the support of loan consolidation.

28 (9) Short-term loans, not to exceed one year, may be made from the
29 institutional financial aid fund to students enrolled in the
30 institution. No such loan shall be made to any student who is known by
31 the institution to be in default or delinquent in the payment of any
32 outstanding student loan. A short-term loan may be made only if the
33 institution has ample evidence that the student has the capability of
34 repaying the loan within the time frame specified by the institution
35 for repayment.

36 (10) Any moneys deposited in the institutional financial aid fund
37 that are not used in making long-term or short-term loans may be used
38 by the institution for locally-administered financial aid programs for
39 needy students, such as need-based institutional employment programs or

1 need-based tuition and fee scholarship or grant programs. These funds
2 shall be used in addition to and not to replace institutional funds
3 that would otherwise support these locally-administered financial aid
4 programs. First priority in the use of these funds shall be given to
5 needy students who have accumulated excessive educational loan burdens.
6 An excessive educational loan burden is a burden that will be difficult
7 to repay given employment opportunities and average starting salaries
8 in the student's chosen fields of study. Second priority in the use of
9 these funds shall be given to needy single parents, to assist these
10 students with their educational expenses, including expenses associated
11 with child care and transportation.

12 **Sec. 67.** RCW 28B.101.020 and 2003 c 233 s 3 are each amended to
13 read as follows:

14 (1) For the purposes of this chapter, "placebound" means unable to
15 complete a college program because of family or employment commitments,
16 health concerns, monetary inability, or other similar factors.

17 (2) To be eligible for an educational opportunity grant, applicants
18 must be placebound residents of the state of Washington as defined in
19 RCW 28B.15.012(2) (a) through (d), who: (a) Are needy students as
20 defined in RCW 28B.10.802(3) (as recodified by this act); and (b) have
21 completed the associate of arts or associate of science degree or the
22 equivalent. A placebound resident is one who may be influenced by the
23 receipt of an enhanced student financial aid award to complete a
24 baccalaureate degree at an eligible institution. An eligible
25 placebound applicant is further defined as a person who would be unable
26 to complete a baccalaureate course of study but for receipt of an
27 educational opportunity grant.

28 **Sec. 68.** RCW 28B.102.040 and 1987 c 437 s 4 are each amended to
29 read as follows:

30 The higher education coordinating board shall establish a planning
31 committee to develop criteria for the screening and selection of
32 recipients of the conditional scholarships. These criteria shall
33 emphasize factors demonstrating excellence including but not limited to
34 superior scholastic achievement, leadership ability, community
35 contributions, and an ability to act as a role model for targeted
36 ethnic minority students. These criteria also may include, for

1 approximately half of the recipients, requirements that those
2 recipients meet the definition of "needy student" under RCW 28B.10.802
3 (as recodified by this act).

4 **Sec. 69.** RCW 28B.108.010 and 1991 c 228 s 10 are each amended to
5 read as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Institution of higher education" or "institution" means a
9 college or university in the state of Washington which is accredited by
10 an accrediting association recognized as such by rule of the higher
11 education coordinating board.

12 (2) "Board" means the higher education coordinating board.

13 (3) "Eligible student" or "student" means an American Indian who is
14 a financially needy student, as defined in RCW 28B.10.802 (as
15 recodified by this act), who is a resident student, as defined by RCW
16 28B.15.012(2), who is a full-time student at an institution of higher
17 education, and who promises to use his or her education to benefit
18 other American Indians.

19 **Sec. 70.** RCW 28B.115.050 and 1991 c 332 s 18 are each amended to
20 read as follows:

21 The board shall establish a planning committee to assist it in
22 developing criteria for the selection of participants. The board shall
23 include on the planning committee representatives of the department,
24 the department of social and health services, appropriate
25 representatives from health care facilities, provider groups,
26 consumers, the state board (~~(of community college education)~~) for
27 community and technical colleges, the superintendent of public
28 instruction, and other appropriate public and private agencies and
29 organizations. The criteria may require that some of the participants
30 meet the definition of "needy student" under RCW 28B.10.802 (as
31 recodified by this act).

32 **Sec. 71.** RCW 28B.119.030 and 2002 c 204 s 4 are each amended to
33 read as follows:

34 The Washington promise scholarship program shall not be funded at
35 the expense of the state need grant program as defined in (~~RCW~~
36 ~~28B.10.800 through 28B.10.824~~) chapter 28B.-- RCW (as created in

1 section 78 of this act). In administering the state need grant and
2 promise scholarship programs, the higher education coordinating board
3 shall first ensure that eligibility for state need grant recipients is
4 at least fifty-five percent of state median family income.

5 **Sec. 72.** RCW 28B.133.010 and 2003 c 19 s 2 are each amended to
6 read as follows:

7 The educational assistance grant program for students with
8 dependents is hereby created, subject to the availability of receipts
9 of gifts, grants, or endowments from private sources. The program is
10 created to serve financially needy students with dependents eighteen
11 years of age or younger, by assisting them directly through a grant
12 program to pursue a degree or certificate at public or private
13 institutions of higher education, as defined in RCW 28B.10.802 (as
14 recodified by this act), that participate in the state need grant
15 program.

16 **Sec. 73.** RCW 28B.133.020 and 2003 c 19 s 3 are each amended to
17 read as follows:

18 To be eligible for the educational assistance grant program for
19 students with dependents, applicants shall: (1) Be residents of the
20 state of Washington; (2) be needy students as defined in RCW
21 28B.10.802(3) (as recodified by this act); (3) be eligible to
22 participate in the state need grant program as set forth under RCW
23 28B.10.810 (as recodified by this act); and (4) have dependents
24 eighteen years of age or younger who are under their care.

25 **Sec. 74.** RCW 28B.133.050 and 2003 c 19 s 6 are each amended to
26 read as follows:

27 The educational assistance grant program for students with
28 dependents grants may be used by eligible participants to attend any
29 public or private college or university in the state of Washington as
30 defined in RCW 28B.10.802 (as recodified by this act). Each
31 participating student may receive an amount to be determined by the
32 higher education coordinating board, with a minimum amount of one
33 thousand dollars per academic year, not to exceed the student's
34 documented financial need for the course of study as determined by the
35 institution.

1 Educational assistance grants for students with dependents are not
2 intended to supplant any grant scholarship or tax program related to
3 postsecondary education. If the higher education coordinating board
4 finds that the educational assistance grants for students with
5 dependents supplant or reduce any grant, scholarship, or tax program
6 for categories of students, then the higher education coordinating
7 board shall adjust the financial eligibility criteria or the amount of
8 the grant to the level necessary to avoid supplanting.

9 NEW SECTION. **Sec. 75.** The following acts or parts of acts are
10 each repealed:

11 (1) RCW 28B.10.210 (Blind students, assistance to--"Blind student"
12 defined) and 1969 ex.s. c 223 s 28B.10.210;

13 (2) RCW 28B.10.215 (Blind students, assistance to--Allocation of
14 funds) and 1985 c 370 s 51, 1982 1st ex.s. c 37 s 6, 1974 ex.s. c 68 s
15 1, & 1969 ex.s. c 223 s 28B.10.215;

16 (3) RCW 28B.10.220 (Blind students, assistance to--Administration
17 of funds) and 1985 c 370 s 52, 1982 1st ex.s. c 37 s 7, 1974 ex.s. c 68
18 s 2, & 1969 ex.s. c 223 s 28B.10.220;

19 (4) RCW 28B.10.824 (State student financial aid program--
20 Commission, executive director, employees--Appointment--Salaries) and
21 1973 c 62 s 5 & 1969 ex.s. c 222 s 20;

22 (5) RCW 28B.10.874 (Distinguished professorship trust fund
23 program--Transfer of administration--Recommendations to governor and
24 legislature) and 1987 c 8 s 9;

25 (6) RCW 28B.10.887 (Graduate fellowship trust fund program--
26 Transfer of administration) and 1998 c 245 s 14 & 1987 c 147 s 8;

27 (7) RCW 28B.80.255 (Washington award for excellence--Use of
28 academic grant) and 1992 c 83 s 3, 1992 c 50 s 2, & 1991 c 255 s 6;

29 (8) RCW 28B.80.265 (Washington award for excellence--Rules) and
30 1992 c 83 s 4 & 1991 c 255 s 7;

31 (9) RCW 28B.80.290 (Statewide transfer of credit policy and
32 agreement--Requirements) and 1983 c 304 s 2;

33 (10) RCW 28B.80.320 (Purpose) and 1985 c 370 s 3;

34 (11) RCW 28B.80.340 (Program responsibilities) and 2003 c 130 s 4
35 & 1985 c 370 s 5;

36 (12) RCW 28B.80.440 (Interstate discussions and agreements about
37 standards and programs for teachers, administrators, and educational
38 staff associates) and 1987 c 40 s 1;

- 1 (13) RCW 28B.80.442 (Interstate discussions--Support and services
2 of western interstate commission on higher education) and 1987 c 40 s
3 2;
- 4 (14) RCW 28B.80.450 (Placebound students--Study of needs) and 1990
5 c 288 s 1;
- 6 (15) RCW 28B.80.500 (Branch campuses--Adjustment of enrollment
7 lids) and 1989 1st ex.s. c 7 s 2;
- 8 (16) RCW 28B.80.520 (Branch campuses--Facilities acquisition) and
9 1989 1st ex.s. c 7 s 9;
- 10 (17) RCW 28B.80.600 (Coordination of telecommunications planning)
11 and 1996 c 137 s 9 & 1990 c 208 s 9;
- 12 (18) RCW 28B.80.610 (Higher education institutional
13 responsibilities) and 2003 c 130 s 5 & 1993 c 363 s 2;
- 14 (19) RCW 28B.80.612 (Identification of methods to reduce
15 administrative barriers) and 1998 c 245 s 25 & 1993 c 363 s 3;
- 16 (20) RCW 28B.80.614 (Study of higher education system operations)
17 and 1993 c 363 s 4;
- 18 (21) RCW 28B.80.616 (Reports to legislature and citizens on
19 postsecondary educational system--Reports to board from state board for
20 community and technical colleges and state institutions of higher
21 education--Cooperation with independent colleges and universities) and
22 1993 c 363 s 5;
- 23 (22) RCW 28B.80.910 (Severability--1969 ex.s. c 277) and 1969 ex.s.
24 c 277 s 15;
- 25 (23) RCW 28B.80.911 (Severability--1985 c 370) and 1985 c 370 s
26 107;
- 27 (24) RCW 28B.80.912 (Effective dates--1985 c 370) and 1985 c 370 s
28 108;
- 29 (25) RCW 28A.305.280 (Forum for education issues) and 1994 c 222 s
30 1; and
- 31 (26) RCW 28A.305.285 (Forum for education issues--Task force) and
32 1997 c 222 s 3 & 1994 c 222 s 2.

33 NEW SECTION. **Sec. 76.** Sections 1, 9, 11, and 12 of this act
34 constitute a new chapter in Title 28B RCW.

35 NEW SECTION. **Sec. 77.** (1) The following sections are codified or
36 recodified in the order shown in Part I, General Provisions, of the
37 chapter created in section 76 of this act:

- 1 (a) RCW 28B.80.300;
- 2 (b) RCW 28B.80.310;
- 3 (c) Section 1 of this act;
- 4 (d) RCW 28B.80.390;
- 5 (e) RCW 28B.80.400;
- 6 (f) RCW 28B.80.410;
- 7 (g) RCW 28B.80.420;
- 8 (h) RCW 28B.80.110;
- 9 (i) RCW 28B.80.430;
- 10 (j) RCW 28B.80.380;
- 11 (k) RCW 28B.80.200; and
- 12 (l) RCW 28B.80.370.

13 (2) The following sections are codified or recodified in the order
14 shown in Part II, Policy and Planning, of the chapter created in
15 section 76 of this act:

- 16 (a) RCW 28B.80.345;
- 17 (b) RCW 28B.80.330;
- 18 (c) RCW 28B.80.335;
- 19 (d) Section 9 of this act;
- 20 (e) RCW 28B.80.280;
- 21 (f) Section 11 of this act;
- 22 (g) Section 12 of this act;
- 23 (h) RCW 28B.80.350;
- 24 (i) RCW 28B.10.044;
- 25 (j) RCW 28B.15.070;
- 26 (k) RCW 28B.15.076; and
- 27 (l) RCW 28B.80.175.

28 (3) The following sections are recodified in the order shown in
29 Part III, Education Services Administration, of the chapter created in
30 section 76 of this act:

- 31 (a) RCW 28B.80.240;
- 32 (b) RCW 28B.80.210;
- 33 (c) RCW 28B.80.230;
- 34 (d) RCW 28B.80.180;
- 35 (e) RCW 28B.80.360;
- 36 (f) RCW 28B.10.859;
- 37 (g) RCW 28B.10.866;
- 38 (h) RCW 28B.10.867;
- 39 (i) RCW 28B.10.868;

- 1 (j) RCW 28B.10.869;
- 2 (k) RCW 28B.10.870;
- 3 (l) RCW 28B.10.871;
- 4 (m) RCW 28B.10.872;
- 5 (n) RCW 28B.10.873;
- 6 (o) RCW 28B.10.880;
- 7 (p) RCW 28B.10.881;
- 8 (q) RCW 28B.10.882;
- 9 (r) RCW 28B.10.883;
- 10 (s) RCW 28B.10.884;
- 11 (t) RCW 28B.10.885;
- 12 (u) RCW 28B.10.886;
- 13 (v) RCW 28B.80.150;
- 14 (w) RCW 28B.80.160;
- 15 (x) RCW 28B.80.170;
- 16 (y) RCW 28B.80.245;
- 17 (z) RCW 28B.80.246;
- 18 (aa) RCW 28B.80.272;
- 19 (bb) RCW 28B.80.805;
- 20 (cc) RCW 28B.80.806;
- 21 (dd) RCW 28B.80.807;
- 22 (ee) RCW 28B.80.620;
- 23 (ff) RCW 28B.80.622;
- 24 (gg) RCW 28B.80.624;
- 25 (hh) RCW 28B.80.626; and
- 26 (ii) RCW 28B.80.810.

27 NEW SECTION. **Sec. 78.** The following sections are recodified in a
28 new chapter in Title 28B RCW:

- 29 (1) RCW 28B.10.800;
- 30 (2) RCW 28B.10.801;
- 31 (3) RCW 28B.10.802;
- 32 (4) RCW 28B.10.804;
- 33 (5) RCW 28B.10.806;
- 34 (6) RCW 28B.10.808;
- 35 (7) RCW 28B.10.8081;
- 36 (8) RCW 28B.10.810;
- 37 (9) RCW 28B.10.812;
- 38 (10) RCW 28B.10.814;

- 1 (11) RCW 28B.10.816;
2 (12) RCW 28B.10.818;
3 (13) RCW 28B.10.820;
4 (14) RCW 28B.10.821; and
5 (15) RCW 28B.10.822.

6 NEW SECTION. **Sec. 79.** RCW 28B.80.510 is recodified as a new
7 section in chapter 28B.45 RCW.

8 NEW SECTION. **Sec. 80.** Part headings used in this act are not part
9 of the law.

10 NEW SECTION. **Sec. 81.** Sections 26 and 27 of this act expire
11 January 30, 2005."

SHB 3103 - S COMM AMD
By Committee on Higher Education

ADOPTED 03/03/04

12 On page 1, line 1 of the title, after "education;" strike the
13 remainder of the title and insert "amending RCW 28B.80.380, 28B.80.400,
14 28B.80.430, 28B.80.200, 28B.80.345, 28B.80.330, 28B.80.335, 28B.80.280,
15 28B.80.350, 28B.10.044, 28B.15.070, 28B.15.076, 28B.80.175, 28B.80.360,
16 28B.10.859, 28B.10.868, 28B.10.873, 28B.10.882, 28B.80.160, 28B.80.245,
17 28B.80.246, 28B.80.620, 28B.80.626, 28B.04.020, 28B.04.030, 28B.04.080,
18 28B.04.085, 28B.10.800, 28B.10.802, 28B.10.804, 28B.10.808,
19 28B.10.8081, 28B.10.810, 28B.10.816, 28B.10.818, 28B.10.820,
20 28B.10.822, 28B.10.790, 28B.10.650, 28A.600.110, 28B.10.020,
21 28B.10.050, 28B.15.543, 28B.15.545, 28B.15.910, 28B.20.130, 28B.30.150,
22 28B.35.120, 28B.38.010, 28B.40.120, 28B.50.090, 28B.50.140, 28B.95.020,
23 28B.119.010, 28C.04.545, 43.105.825, 43.157.010, 43.79.465, 28B.15.760,
24 28B.15.820, 28B.101.020, 28B.102.040, 28B.108.010, 28B.115.050,
25 28B.119.030, 28B.133.010, 28B.133.020, and 28B.133.050; adding a new
26 section to chapter 28B.45 RCW; adding new chapters to Title 28B RCW;
27 creating new sections; recodifying RCW 28B.80.300, 28B.80.310,
28 28B.80.390, 28B.80.400, 28B.80.410, 28B.80.420, 28B.80.110, 28B.80.430,
29 28B.80.380, 28B.80.200, 28B.80.370, 28B.80.345, 28B.80.330, 28B.80.335,

1 28B.80.280, 28B.80.350, 28B.10.044, 28B.15.070, 28B.15.076, 28B.80.175,
2 28B.80.240, 28B.80.210, 28B.80.230, 28B.80.180, 28B.80.360, 28B.10.859,
3 28B.10.866, 28B.10.867, 28B.10.868, 28B.10.869, 28B.10.870, 28B.10.871,
4 28B.10.872, 28B.10.873, 28B.10.880, 28B.10.881, 28B.10.882, 28B.10.883,
5 28B.10.884, 28B.10.885, 28B.10.886, 28B.80.150, 28B.80.160, 28B.80.170,
6 28B.80.245, 28B.80.246, 28B.80.272, 28B.80.805, 28B.80.806, 28B.80.807,
7 28B.80.620, 28B.80.622, 28B.80.624, 28B.80.626, 28B.80.810, 28B.10.800,
8 28B.10.801, 28B.10.802, 28B.10.804, 28B.10.806, 28B.10.808,
9 28B.10.8081, 28B.10.810, 28B.10.812, 28B.10.814, 28B.10.816,
10 28B.10.818, 28B.10.820, 28B.10.821, 28B.10.822, and 28B.80.510;
11 repealing RCW 28B.10.210, 28B.10.215, 28B.10.220, 28B.10.824,
12 28B.10.874, 28B.10.887, 28B.80.255, 28B.80.265, 28B.80.290, 28B.80.320,
13 28B.80.340, 28B.80.440, 28B.80.442, 28B.80.450, 28B.80.500, 28B.80.520,
14 28B.80.600, 28B.80.610, 28B.80.612, 28B.80.614, 28B.80.616, 28B.80.910,
15 28B.80.911, 28B.80.912, 28A.305.280, and 28A.305.285; providing an
16 effective date; and providing an expiration date."

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